

**TOWN OF NORTH HEMPSTEAD
BOARD MEETING
AGENDA**



March 20, 2018

7:00 PM

PUBLIC HEARINGS:

1. **THIS ITEM WILL BE ADJOURNED INDEFINITELY AND NO DECISION WILL BE MADE BY THE BOARD.** A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 2 OF THE TOWN CODE ENTITLED "ADMINISTRATION AND ENFORCEMENT."

Synopsis: The purpose of the local law is to authorize the Building Commissioner to suspend or revoke plumbing licenses under certain circumstances.

2. A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 70 OF THE TOWN CODE ENTITLED "ZONING."

Synopsis: The purpose of the local law is to amend the Town's zoning code to clarify the regulations concerning alterations to a restaurant and the calculation of parking requirements for a restaurant.

3. A PUBLIC HEARING TO CONSIDER THE RESCISSION AND ADOPTION OF AN ORDINANCE AFFECTING BEDFORD AVENUE IN GARDEN CITY PARK.

Synopsis: The rescission and adoption of this ordinance will change the time frame of the presently posted parking restrictions on the north and south sides of Bedford Avenue, between Nassau Boulevard and Corbin Avenue, in Garden City Park.

4. **THIS ITEM WILL BE ADJOURNED INDEFINITELY AND NO DECISION WILL BE MADE BY THE BOARD.** A PUBLIC HEARING TO CONSIDER THE APPLICATION OF ROSLYN HIGHLANDS HOOK & LADDER, ENGINE & HOSE CO., INC. FOR A SPECIAL PERMIT FOR THE PREMISES LOCATED AT 270 WARNER AVENUE, ROSLYN HEIGHTS, NEW YORK AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 7, BLOCK 321, LOT 11.

5. **THIS ITEM WILL BE ADJOURNED INDEFINITELY AND NO DECISION WILL BE MADE BY THE BOARD.** A PUBLIC HEARING TO CONSIDER THE APPLICATION OF ROSLYN HIGHLANDS HOOK & LADDER, ENGINE & HOSE CO., INC. FOR A SPECIAL PERMIT FOR THE PREMISES LOCATED AT 270

WARNER AVENUE, ROSLYN HEIGHTS, NEW YORK AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 7, BLOCK 321, LOT 11.

6. A PUBLIC HEARING TO CONSIDER THE APPLICATION OF GARDEN CITY PARK ASSOCIATES, LLC FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 2407-2475 JERICHO TURNPIKE, GARDEN CITY PARK AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 612, LOT 39.

Synopsis: Proposed action is the reconfiguration of the parking lot for an existing shopping center to conform with ADA requirements and associated new lighting and drainage on a 7.12 acre site.

7. A PUBLIC HEARING TO CONSIDER THE APPLICATION OF HERON REAL ESTATE CORP. FOR A SPECIAL USE PERMIT FOR THE PREMISES LOCATED AT 2 GLEN COVE ROAD, GREENVALE AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 19, BLOCK 2, LOT 251.

Synopsis: Proposed Action is the conversion of an existing gasoline service station to self-service operation on a 0.3-acre site.

8. A PUBLIC HEARING TO CONSIDER THE APPLICATION OF 1175 WILLIS CORP. FOR A PERMIT TO INSTALL AN UNDERGROUND FUEL STORAGE TANK PURSUANT TO CHAPTER 29A OF THE TOWN CODE OF THE TOWN OF NORTH HEMPSTEAD FOR THE PREMISES LOCATED AT 1175 WILLIS AVENUE, ALBERTSON, NEW YORK AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 7, BLOCK 318, LOTS 1 AND 2.

Synopsis: The proposed action is the removal of three (3) underground fuel storage tanks and the installation of one (1) 16,000 gallon double-walled underground gasoline storage tank and one (1) 12,000 gallon double-walled fiberglass underground gasoline storage tank.

9. A PUBLIC HEARING TO CONSIDER THE APPLICATION OF 1111 NORTHERN BOULEVARD LLC FOR A PERMIT TO INSTALL AN UNDERGROUND FUEL STORAGE TANK PURSUANT TO CHAPTER 29A OF THE TOWN CODE OF THE TOWN OF NORTH HEMPSTEAD FOR THE PREMISES LOCATED AT 1111 NORTHERN BOULEVARD, MANHASSET, NEW YORK AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 3, BLOCK 236, LOTS 10 AND 11.

Synopsis: The proposed action is the removal of three (3) underground fuel storage tanks and the installation of two (2) new 10,000 gallon double-walled fiberglass gasoline storage tanks.

10. A PUBLIC HEARING FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE PORT WASHINGTON WATER POLLUTION CONTROL DISTRICT, PURSUANT TO SECTION 202-b OF THE TOWN LAW.
11. BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED MARCH 20, 2018, APPROPRIATING \$18,800,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE PORT WASHINGTON WATER POLLUTION CONTROL DISTRICT, IN SAID TOWN, AND AUTHORIZING THE ISSUANCE OF \$18,800,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.

12. A PUBLIC HEARING TO CONSIDER THE APPLICATION OF BABAK DAMAGHI FOR AN APPEAL FROM A DISAPPROVAL BY THE COMMISSIONER OF BUILDING SAFETY, INSPECTION AND ENFORCEMENT OF A STRUCTURE (DOCK) APPLICATION PURSUANT TO CHAPTER 42 OF THE TOWN CODE FOR THE PROPERTY LOCATED AT 40 SHORE DRIVE, KINGS POINT, NEW YORK AND IDENTIFIED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 1, BLOCK 42, LOT 26-29.

RESOLUTIONS:

13. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 40A OF THE TOWN CODE ENTITLED "PERSONAL PROPERTY, ABANDONMENT OF."

Synopsis: The purpose of the local law is to allow auctions of personal property to occur via the internet and to clarify the notice provisions to be complied with prior to an auction. Tentative hearing date is April 17, 2018.

14. A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AMENDING "PARKS ORDINANCE NO. 1 OF 2016" RELATIVE TO PARKS AND RECREATION FACILITIES IN THE TOWN OF NORTH HEMPSTEAD.

Synopsis: The proposed action is to extend the Commissioner of Parks and Recreation's rule making authority to allow for the presence of dogs at certain Town parks to include Clark Botanic Gardens, Albertson. Tentative hearing date is April 17, 2018.

15. RESOLUTION OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED ON MARCH 20, 2018, CALLING FOR A PUBLIC HEARING TO BE HELD ON APRIL 17, 2018, FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE GREAT NECK WATER POLLUTION CONTROL DISTRICT, PURSUANT TO SECTION 202-B OF THE TOWN LAW.

16. A RESOLUTION ACCEPTING GIFTS TO THE TOWN PURSUANT TO TOWN LAW SECTION 64.

17. A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF A GRANT APPLICATION TO THE "MEET ME AT THE PARK" COLLABORATION OF THE NATIONAL RECREATION AND PARK ASSOCIATION AND THE TAKING OF RELATED ACTION.

18. A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF AN APPLICATION TO THE NASSAU COUNTY OFFICE OF COMMUNITY DEVELOPMENT FOR 44TH PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.

19. A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR THE RECONSTRUCTION OF THE GRAND BOULEVARD SIDEWALK, NEW CASSEL, NEW YORK, DPW PROJECT NO. 16-15.
20. A RESOLUTION AUTHORIZING AN AWARD IN CONNECTION WITH A REQUEST FOR PROPOSALS FOR PAY-BY-PHONE CREDIT CARD PROCESSING SERVICES FOR THE PORT WASHINGTON PUBLIC PARKING DISTRICT (TNH168-2017).
21. A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR TREES, FLOWERS AND SHRUBS (TNH038-2018).
22. A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR MOBILE VETERINARY UNITS (TNH004-2018).
23. A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR POOL VACUUMS (TNH192-2018).
24. A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR SOUND SYSTEMS (TNH103-2018).
25. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH LEXINGTON TECHNOLOGIES INC. FOR METHANE DETECTION SYSTEM IMPROVEMENTS AT MICHAEL J. TULLY PARK, NEW HYDE PARK.
26. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH HEINRICH EQUIPMENT COMPANY INC. FOR SOFTWARE AND GAS TANK MONITORING.
27. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH EAST END VOLLEYBALL TO CONDUCT A VOLLEYBALL LEAGUE AT NORTH HEMPSTEAD BEACH PARK.
28. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENTS WITH THE LONG ISLAND NETS REGARDING TEAM PRACTICES AND A BASKETBALL CAMP AT THE NORTH HEMPSTEAD "YES WE CAN" COMMUNITY CENTER.
29. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MAD SCIENCE OF LONG ISLAND FOR SUMMER SCIENCE PROGRAMS AT VARIOUS TOWN PARKS.
30. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH AMERICAN POOL CONSULTANTS TO CONDUCT A CERTIFIED POOL OPERATOR COURSE FOR EMPLOYEES OF THE DEPARTMENT OF PARKS AND RECREATION.
31. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ABLE SAFETY CONSULTING FOR AN EVALUATION AND SITE INSPECTION OF THE TOWN'S CONFINED SPACES.

32. A RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENTS WITH VARIOUS AGENCIES TO PROVIDE ACTIVITIES AND SERVICES FOR SENIOR CITIZENS WITHIN THE TOWN OF NORTH HEMPSTEAD.
33. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE GREAT NECK CENTER FOR THE VISUAL AND PERFORMING ARTS D/B/A THE GOLD COAST ARTS CENTER TO SPONSOR THE 2018 GOLD COAST INTERNATIONAL FILM FESTIVAL.
34. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH HARBOR LINKS GOLF COURSE FOR THE TOWN'S 2018 SENIOR RECOGNITION LUNCHEON.
35. A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE VILLAGE OF BAXTER ESTATES FOR COOPERATIVE SERVICES AND PURCHASING.
36. A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE COUNTY OF NASSAU AND SOLAR GLASS, INC. FOR GLASS REPAIR WORK.
37. A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE COUNTY OF SUFFOLK AND EASTERN DOOR AND HARDWARE INC. FOR DOOR AND CLOSURE REPAIRS.
38. A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE COUNTY OF SUFFOLK, D&D ELECTRIC MOTOR AND SMITHTOWN ARMATURE WORKS, INC. FOR MOTOR REPAIRS.
39. A RESOLUTION AUTHORIZING THE PURCHASE OF SOFTWARE SUPPORT AND MAINTENANCE FOR VARIOUS APPLICATIONS MANAGED BY THE DEPARTMENT OF INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS AND THE OFFICE OF THE TOWN CLERK.
40. A RESOLUTION AUTHORIZING PAYMENT TO STAMFORD TENT AND EVENT SERVICES FOR EMERGENCY TENT REPAIRS AT HARBOR LINKS GOLF COURSE.
41. A RESOLUTION AMENDING THE TOWN OF NORTH HEMPSTEAD PARKS FEE SCHEDULE.
42. A RESOLUTION AMENDING RESOLUTION NO. 657-2017, ADOPTED NOVEMBER 14, 2017, REGARDING MEETINGS OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD.
43. A RESOLUTION AMENDING RESOLUTION NO. 720-2017, ADOPTED DECEMBER 19, 2017, REGARDING THE AWARD OF A BID FOR ELECTRIC GOLF CARTS FOR HARBOR LINKS GOLF COURSE (TNH185-2017).
44. A RESOLUTION IDENTIFYING TITLES OF EMPLOYEES OF THE TOWN OF NORTH HEMPSTEAD WHO ARE REQUIRED TO FILE AN ANNUAL

STATEMENT OF FINANCIAL DISCLOSURE PURSUANT TO CHAPTER 16A OF
THE TOWN CODE OF THE TOWN OF NORTH HEMPSTEAD.

45. A RESOLUTION AUTHORIZING THE EMPLOYMENT, APPOINTMENT, TRANSFER, ADJUSTMENT, CORRECTION, CHANGE IN GRADE OR SALARY AND/OR TERMINATION OF EMPLOYEES AND/OR OFFICIALS IN VARIOUS DEPARTMENTS OF THE TOWN.
46. A RESOLUTION AUTHORIZING THE PAYMENT OF A CLAIM AGAINST THE TOWN OF NORTH HEMPSTEAD AND AUTHORIZING AND DIRECTING THE COMPTROLLER OR DEPUTY COMPTROLLER TO PAY THE COSTS THEREOF.
47. A RESOLUTION AUTHORIZING THE APPROVAL OF POINTS FOR THE LENGTH OF SERVICE AWARD PROGRAM FOR THE FLORAL PARK CENTER FIRE COMPANY, INC.
48. A RESOLUTION AUTHORIZING THE APPROVAL OF POINTS FOR THE LENGTH OF SERVICE AWARD PROGRAM FOR THE ALBERTSON HOOK & LADDER, ENGINE & HOSE COMPANY NO. 1.
49. A RESOLUTION APPROVING THE ACTION OF THE VIGILANT ENGINE & HOOK & LADDER CO., INC., GREAT NECK, NEW YORK IN ELECTING TO MEMBERSHIP ZUES GONZALEZ AND REBECCA YAMINIAN AND REMOVING LEVI MONAHEMI.
50. A RESOLUTION APPROVING THE ACTION OF THE FLOWER HILL HOSE COMPANY, NO. 1, PORT WASHINGTON, NEW YORK, IN CHANGING LAWRENCE HATTON FROM ACTIVE TO EXEMPT STATUS.
51. A RESOLUTION APPROVING THE ACTION OF THE ALBERTSON HOOK & LADDER, ENGINE & HOSE CO., NO. 1., INC., ALBERTSON, NEW YORK, IN ADDING TO MEMBERSHIP BRUCE KARDACH, MATTHEW KOSANSKI, DEAN LAMBROPOULOS AND REMOVING DAVINDER SINGH.
52. A RESOLUTION APPROVING THE ACTION OF THE FIRE-MEDIC CO., NO. 1, PORT WASHINGTON, NEW YORK, IN REMOVING FROM MEMBERSHIP ALYSSA PENROSE.

ADDED STARTERS:

53. A RESOLUTION APPOINTING ITALO J. VACCHIO TO THE BOARD OF COMMISSIONERS OF THE CARLE PLACE WATER DISTRICT.
54. A RESOLUTION APPOINTING BARRY V. GREEN TO THE BOARD OF COMMISSIONERS OF THE WESTBURY WATER AND FIRE DISTRICT.

PROPOSED RESOLUTION

*******offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:**

RESOLUTION NO. - 2018

THIS ITEM WILL BE ADJOURNED INDEFINITELY AND NO DECISION WILL BE MADE BY THE BOARD. A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 2 OF THE TOWN CODE ENTITLED "ADMINISTRATION AND ENFORCEMENT."

NO RESOLUTION

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 144 - 2018

**A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING
CHAPTER 70 OF THE TOWN CODE ENTITLED "ZONING."**

WHEREAS, the Town Board, as the legislative body of the Town of North Hempstead, is empowered to amend the Town Code pursuant to the provisions of Article 9 of the New York State Constitution, the Town Law, and the Municipal Home Rule Law; and

WHEREAS, a proposed Local Law has been prepared pursuant to enabling legislation to amend the Town Code by the adoption of a Local Law amending Chapter 70 of the Town Code entitled “Zoning” in order to clarify the regulations concerning alterations to a restaurant and the calculation of parking requirements for a restaurant; and

WHEREAS, the proposed Local Law, in final form, has been on the desks or tables of all the members of the Town Board for seven calendar days, exclusive of Sunday; and

WHEREAS, due notice has been given of a public hearing to be held on the 20th day of March 2018, concerning the adoption of the proposed Local Law, which Local Law was available for viewing by the public on the Town’s website and during regular business hours in the Office of the Town Clerk; and

WHEREAS, the Town Board carefully considered the proposed Local Law during the seven-day period, conducted a public hearing on March 20, 2018, with respect to the Local Law, and has afforded all interested persons an opportunity to be heard at the public hearing; and

WHEREAS, this Board deems it in the public interest to adopt the proposed Local Law, to be effective immediately upon filing with the Secretary of State of the State of New York (the “Secretary of State”).

NOW, THEREFORE, BE IT

RESOLVED that Local Law No. 2 of 2018 be and it hereby is adopted, which Local Law reads as follows:

**TOWN OF NORTH HEMPSTEAD
LOCAL LAW NO. 2 OF 2018**

**A LOCAL LAW AMENDING CHAPTER 70 OF THE TOWN CODE
ENTITLED “ZONING”**

BE IT ENACTED by the Town Board of the Town of North Hempstead, as follows:

Section 1. Legislative Intent.

The Board finds that it is in the best interest of the Town of North Hempstead to adopt amendments to Chapter 70 of the Town Code entitled “Zoning” in order to update and strengthen the requirements for parking and food garbage treatment for restaurants and to simplify the requirements for making changes to restaurant facilities.

Section 2.

Section 70-45 of Article VI of Chapter 70 of the Town Code is hereby amended as follows:

§ 70-45. Conditional uses.

A building may be erected, altered or used and a lot or premises may be used for any of the purposes set forth in this article when authorized by the Board of Appeals pursuant to the provisions of Article XXIV and for no other:

- A. All conditional uses set forth in Article III applicable to R-AA Districts and Article IV applicable to R-A Districts.
- B. Greenhouse, provided that it is maintained as an accessory use by the owner and not a gainful business.
- C. Philanthropic or eleemosynary uses or institutions other than correctional institutions.
- D. Nursing home licensed by the Nassau County Department of Health.
- E. ~~[Delicatessen]~~ **Retail Food Use** as defined in § 70-231, ~~[sandwich shop or bakery]~~ conforming to the following:
[Added 8-2-2011 by L.L. No. 12-2011]

- (1) The establishment is situated on a thoroughfare with four or more travel lanes; and
 - (a) Vehicular access to the establishment shall only be from the thoroughfare.
 - (b) The lot shall be no less than 1.5 acres in area.
 - (c) The lot shall have a minimum depth of 300 feet from the thoroughfare to the rear property line.
- (2) The gross floor area shall be no greater than 4,000 square feet;
- (3) There shall be no tables or chairs for the on-premises consumption of food;
- (4) There shall be no drive-through service windows; and

- (5) There shall be a landscaped buffer required in conformance with the standards of §§ 70-203 G and H.

Section 3.

Subsection A of Section 70-103 of Article XII of Chapter 70 of the Town Code is hereby amended as follows:

A. Parking requirements.

[Amended 9-30-2003 by L.L. No. 12-2003; 11-15-2005 by L.L. No. 13-2005]

- (1) All districts. The following off-street parking requirements shall apply in all districts in which the enumerated uses are authorized, except where otherwise provided in the article regulating such districts. All references to parking space contained in this section shall be interpreted in conformity with the definition of "parking space" contained in § 70-231 of this chapter.
[Amended 7-29-2008 by L.L. No. 7-2008; 9-22-2008 by L.L. No. 9-2008; 6-23-2009 by L.L. No. 11-2009; 1-24-2012 by L.L. No. 2-2012; 5-13-2014 by L.L. No. 8-2014]

Use	One Parking Space for Each
Dwelling of any kind other than those specifically listed below	1/2 dwelling unit
<u>Retail food use</u>	<u>300 square feet</u>
Hospital, clinic	2 beds, plus 1 space per employee
Hotel	Refer to § 70-103S
Industry	600 square feet of floor area
Place of public assembly <u>or place of assembly exclusive of restaurants</u> (theater, lodge, club, hall, church, auditorium, bowling, <u>gym, fitness center,</u> etc.)	4 seats or 4 persons which can be legally accommodated, plus 1 space per employee
Restaurant/bar and grill	<u>80 square feet of floor area, inclusive of outdoor seating areas, AND 1 space per three (3) linear feet of a bar or counter where food and/or drink are served as measured on the patron's side of the bar/counter. Spaces reserved for takeout/to go orders are not counted towards satisfying parking requirements.</u> [4 seats or 4 persons which can be legally accommodated, plus 1 space per employee. In the case of employee spaces, there

Use**One Parking Space for Each**

~~shall be not less than 2 employee spaces, plus 1 employee space for every 10 seats. Parking for bar or waiting area, if any, shall be provided in addition to parking provided for dining room. If take-out service is provided, an additional 5 spaces shall be provided]~~

~~[Restaurant, fast-food]~~

~~[2 seats or 2 persons which can be legally accommodated for patrons. In addition, employee parking shall be provided as follows: a minimum of 1 space for every 15 seats. In no case shall fewer than 6 spaces be provided]~~

Retail store, personal service shop

300 square feet of floor area in excess of 1,000 square feet

Wholesale establishment,
warehouse

600 square feet of floor area

All other business

300 square feet of floor area in excess of 1,000 square feet

Gasoline service
station/convenience store, as
defined in § 70-231

300 square feet of floor area; service bays, drive aisles, and areas utilized for the pumping of gas shall not be counted as or defined as off-street parking

Game courts (tennis, squash,
handball, badminton)

1/8 of each game court, plus 10 spaces for each main structure

Medical, dental and similar offices

150 square feet of floor **area** in excess of 1,000 square feet

All other offices

200 square feet of floor [space] **area** in excess of 1,000 square feet

Public housing

Dwelling unit

Dwelling unit in a mixed-use
building

Dwelling unit

Senior independent-living facility

.67 dwelling unit

Senior congregate-living facility

.67 dwelling unit

Senior assisted-living facility

Dwelling unit

Senior day care

500 square feet of gross floor area

Use	One Parking Space for Each
Nursing home/temporary care facility	2 beds
Child care, nursery school or similar facility	1 staff member, plus 1 parking space per each 15 children capacity, or portion thereof
Boatel	2 guest rooms or suites, plus 1 space per employee
Marina	Slip, plus 1 space per employee

- (2) Multiple Residence District. Within a Multiple Residence District, there shall be provided on the premises parking or garage facilities at the rate of 2 1/4 spaces for each apartment other than one basement apartment. Such garage facilities shall not include space for more than six cars in one accessory building, which shall conform architecturally to the main building. Parking for senior citizen facilities within a Multiple Residence District shall be provided at the rates indicated in § 70-103A(1). Parking for dwelling units in a Multiple Residence District located within the New Cassel Urban Renewal Area shall be provided at the rate of 1/2 parking space per bedroom in the multiple residence building(s), but in no instance shall there be less than one parking space per dwelling unit.
- (3) Golden Age Residence District. Within a Golden Age Residence District there shall be provided off-street parking at the rate of 1 1/4 spaces for each one of the dwelling units.

Section 4.

Section 70-114.1 of Article XV of Chapter 70 of the Town Code is hereby amended as follows:

§ 70-114.1 Conditional Uses.

[Added 9-13-1983 by L.L. No. 6-1983; amended 4-4-1995 by L.L. No. 4-1995; amended 6-8-1999 by L.L. No. 7-1999]

A building may be erected, altered or used and a lot or premises may be used for any of the purposes set forth in this article when authorized by the Board of Zoning and Appeals pursuant to the provisions of Article XXIV and for no other:

- A. The operation of not more than two amusement devices in conjunction with a lawfully established business. No amusement device shall be operated as authorized herein except on the following conditions:
 - (1) No amusement device shall be located outside of a building.
 - (2) No amusement device shall be located in any premises within 500 feet of any public, private or parochial school. For the purposes of this section only, the term

“public, private or parochial school” shall not include schools whose students are primarily over the age of 18 years or are high school graduates.

- (3) An amusement device may be operated only between the hours of 9:00 a.m. and 9:00 p.m. This limitation shall not apply to amusement devices located in bars, inns, diners, taverns and bowling alleys.
- B. Restaurants, or retail grocery, [~~delicatessen~~] **retail food use**, or other store primarily selling food items packaged in units of more than one portion for consumption off the premises.
- C. Senior day-care facilities.
 - (1) Senior day-care facilities shall provide means for the dropoff and pickup of clients in a manner which does not interfere with the orderly flow of traffic.
- D. Nursing homes.
- E. Child care, nursery school or similar facility, subject to the standards and requirements set forth in § 70-203.1 of this chapter. [Added 10-2-2001 by L.L. No. 8-2001]

Section 5.

Section 70-126 of Article XVI of Chapter 70 of the Town Code is hereby amended as follows:

§ 70-126. Conditional uses.

[Amended 1-9-1968; 5-20-1969; 6-23-1970; 1-21-1975 by L.L. No. 1-1975; 2-1-1977 by L.L. No. 2-1977; 9-13-1983 by L.L. No. 6-1983; 6-8-1999 by L.L. No. 7-1999]

A building may be erected, altered or used and a lot or premises may be used for any of the purposes set forth in this article when authorized by the Board of Zoning and Appeals pursuant to the provisions of Article XXIV and for no other:

- A. Hotel, as defined in § 70-231 of Article XXV of this chapter; theater other than an open-air, drive-in or automobile theater; restaurant [~~other than a diner and/or lunchwagon~~]; and bar and grill.
- B. Retail store for storage, sale or distribution of ice, coal, wood, used lumber, used plumbing equipment, material or fittings, used household equipment or materials, used automotive parts, equipment or supplies, live poultry markets.
- C. Pet shops.
- D. Parking space for the parking, storage and sale of automobiles.
- E. Commercial parking lot.

- F. Retail grocery, [~~delicatessen~~] **retail food use** or other store primarily selling food items packaged in units of more than one portion for consumption **primarily** off the premises.
- G. The operation of not more than two amusement devices in conjunction with a lawfully established business. No amusement device shall be operated as authorized herein except on the following conditions:
- (1) No amusement device shall be located outside of a building.
 - (2) No amusement device shall be located in any premises within 500 feet of any public, private or parochial school. For the purposes of this section only, the term "public, private or parochial school" shall not include schools whose students are primarily over the age of 18 years or are high school graduates.
 - (3) An amusement device may be operated only between the hours of 9:00 a.m. and 9:00 p.m. This limitation shall not apply to amusement devices located in bars, inns, diners, taverns and bowling alleys.
- H. Accessory parking in a greater restricted district in accordance with the following and subject to such other conditions and safeguards as the Board may impose. Where a plot in a Business A District in single ownership at the effective date of this ordinance extends in depth beyond the said district into a greater restricted district, the rear portion of said plot extending into the greater restricted district may be used for accessory parking for the building erected and the use maintained on the front portion of said plot. Such accessory use, however, shall not extend to a depth greater than 200 feet when measured from the front property line of said plot, nor shall it extend to a point where the rear boundary line will be less than 100 feet from the front property line of an adjoining plot fronting on a residential street and situated in a residence district. In no event shall any part of such area permitted to be used for accessory parking be used for the storage or abandonment of any article.
- I. Senior citizen facilities, including the following. A single building may contain any combination of the senior citizen facilities listed below.
- (1) Senior independent-living facilities.
 - (2) Senior congregate-living facilities.
 - (3) Senior assisted-living facilities.
 - (4) Senior day-care facilities.
- J. Accessory uses for senior citizen facilities. Senior citizen facilities and nursing homes may contain or provide uses necessary to and customarily incidental to such facilities where such uses are limited to use by residents, their guests and employees, as follows:
- (1) All accessory uses, as set forth in Article VIII, applicable to Multiple Residence Districts.

- K. Child care, nursery school or similar facility, subject to the standards and requirements set forth in § 70-203.1 of this chapter. [Added 10-2-2001 by L.L. No. 8-2001]
- L. Indoor smoking establishment, as defined in §70-231, conforming to the following:
 - (1) No such establishment shall be permitted within a radius of 500 feet of any area zoned for residential use nor within 1,000 feet of the lot line of any premises used for a school, church or other place of religious worship, park, playground or playing field, library, hospital or similar public or semipublic place of general congregation, or non-degree-granting instruction/programs, including tutoring centers, self-defense, dance, swimming, gymnastics and other sports.
 - (2) No more than one indoor smoking establishment shall be located on any lot.

Section 6.

Section 70-203 of Article XXII of Chapter 70 of the Town Code is hereby amended to add a new Subsection (W) as follows:

W. A refrigerated garbage locker shall be required within any restaurant, bar and grill or retail food use. There shall be no outdoor storage of putrescible waste generated by any food use at any time. The applicant shall arrange for indoor carry-out/pick-up with a licensed sanitation collector and shall forward a copy of the contract to the Building Official prior to the issuance of a certificate of occupancy.

Section 7.

Subsection B of Section 70-225 of Article XXIV of Chapter 70 of the Town Code is hereby amended as follows:

- B. Conditional and special uses.
 - (1) In the consideration and determination of applications for conditional uses or special permits, the Board of Zoning and Appeals shall consider the following general standards as applied to the specific application:
 - (a) The purposes of zoning as set forth in the Town Law of the State of New York and uses permitted in the district in which the property is located.
 - (b) Whether the proposed use is of such character, size, location, design and site layout as to be appropriate to and in harmony with the surrounding properties.
 - (c) Whether the proposed use will provide a desirable service, facility or convenience to the area or otherwise contribute to the proper growth and development of the community and to its general welfare.
 - (d) Whether the proposed use will be hazardous, conflicting or incongruous to the immediate neighborhood by reason of excessive traffic, assembly of

persons or vehicles, proximity to travel routes or congregations of children or pedestrians.

- (e) Whether the proposed use will be of such nature as to be objectionable to nearby residential dwellings by reason of noise, lights, vibration or other factors of impact.
 - (f) Whether the proposed use will be a harmonious use in the district in which it is to be situated and not hinder or discourage the appropriate use and development of adjacent uses or impair the value thereof.
 - (g) In addition to the foregoing, the location and size of a proposed use in a business or industrial district, the nature and intensity of the operations proposed, the site layout and its relation to access streets shall be considered by the Board having jurisdiction of the application to determine whether the vehicular traffic resulting from such use will be more hazardous than the normal traffic of the district, taking into account such factors as street intersection, traffic flow, sight distances and pedestrian traffic.
- (2) If the Board of Zoning and Appeals shall determine that the conditional uses provided in this chapter or a proposed special use will conform to the general character of the neighborhood to which the proposed use will apply and that the public health, morals, safety and general welfare of such neighborhood will be secure by the granting of such use, subject to the safeguards imposed by the Board, then the Board of Zoning and Appeals shall authorize the issuance of a permit pursuant to § 70-225 of this article. Such permits may be granted for a temporary period or permanently, as determined by the Board, and, if granted for a temporary period, application for extension of same will be subject to a public hearing as required in the original application.
- (3) Before an application for a conditional or special use may be heard by the Board of Zoning and Appeals, a complete and accurate list of the names and addresses of the owners of all the lands within a radius of 200 feet of the property affected by such application as appears on the latest completed assessment roll of the County of Nassau shall be submitted simultaneously with the application. The applicant shall send, by registered or certified mail, to each owner shown on said list, not less than 10 nor more than 20 days before the date set for a hearing upon this application, a notice addressed to such owners generally, signed by the applicant, identifying the property affected thereby and setting forth the use requested and the date, hour and place fixed by the Board of Zoning and Appeals for the hearing thereon. Before such case may be heard by the Board of Zoning and Appeals, the applicant must file with the Clerk of the Board, not later than five days prior to the hearing date, an affidavit of the mailing of such notices as herein provided, said affidavit to be made on forms to be provided by the Board of Zoning and Appeals. This provision shall likewise apply to any application for the extension of a temporary conditional or special use.
- (4) If the Board of Zoning and Appeals finds that in an application the conditional use provided in this chapter or special use proposed and requested in said application

will not conform to the general character of the neighborhood to which the proposed use will apply and that the public health, morals, safety and general welfare of such neighborhood will not be secured by granting such conditional use, then the Board of Zoning and Appeals shall deny such application, anything in this chapter to the contrary notwithstanding.

- (5) If, upon an application for extension of a conditional or special use, the Board finds that the applicant has violated the conditions imposed in the granting of same or if the Board finds that because of a change in the general character of the neighborhood the public health, safety, morals and general welfare will be adversely affected by the extension of such conditional or special use, then the Board of Zoning and Appeals may deny an application for extension of such conditional or special use, anything in this ordinance to the contrary notwithstanding.
- (6) Mother-daughter residences.
 - (a) Upon an application for a mother-daughter residence, as defined in § 70-231 of this chapter, § 70-225B(3) shall not apply; however, the applicant shall file with the Board the written consents received from, or proof of written notice given to, all owners of property adjoining the property affected by the application.
 - (b) Any mother-daughter residence legally in existence with a currently valid permit on April 1, 1997, shall be considered to be a legal nonconforming use with respect to any structural improvement in existence on April 1, 1997. Any subsequent structural improvement shall conform to the conditions of a mother-daughter residence, as defined in § 70-231.
 - (c) The fee owner of any residence which ceases to be a mother-daughter residence under the conditions listed in § 70-231 shall remove all cooking facilities from the apartment within 90 days of the change. As a condition of granting any application for a conditional use of a mother-daughter residence, the Board of Zoning and Appeals shall require the recording of a covenant to remove cooking facilities as aforesaid.
- (7) Changes to uses requiring conditional use permit; noncompliance.
 - (a) ~~[Prior to making any changes to the kitchen of an establishment operating under a conditional use permit, either by the addition of equipment not on the approval plan, or through an increase in the size of existing equipment or in the size of the square footage of the kitchen, the holder of the conditional use permit]~~ **Any restaurant or retail food use** must apply to the Board of Zoning and Appeals ~~[for a review of the conditional use permit in order to ascertain whether the changes necessitate additional conditions.]~~ **if any of the following occurs:**
 - [1]. An increase in the size of an approved kitchen by 20% of floor area of said kitchen, or 250 square feet, whichever is less, inclusive of prep areas, is proposed.**

[2]. The addition or removal of counter/kiosk service for the placement of a food order.

~~[(b) The conversion of a restaurant to a fast-food restaurant requires application to the Board of Zoning and Appeals for a new conditional use permit.]~~

~~[(e) The addition of another tenant or food use within the premises containing a restaurant or fast-food restaurant requires a new application and conditional use permit for each additional tenant or food use and compliance with the parking requirements of § 70-103A(1) of the Town Code.]~~

~~(d)~~**(b)** Failure to comply with the conditions imposed in the decision of the Board of Zoning and Appeals may result in a revocation of the conditional use permit. In the event that the conditional use permit is revoked, a new conditional use permit application must be made and the appropriate fees paid.

Section 8.

Section 70-231 of Article XXV of Chapter 70 of the Town Code is hereby amended as follows:

§ 70-231. Definitions.

[Amended 7-23-1968; 10-15-1968; 12-31-1974 by L.L. No. 22-1974; 2-1-1977 by L.L. No. 2-1977; 3-27-1979 by L.L. No. 3-1979; 8-12-1980 by L.L. No. 11-1980; 8-12-1980 by L.L. No. 12-1980; 8-26-1980 by L.L. No. 13-1980; 9-13-1983 by L.L. No. 6-1983; 2-26-1985 by L.L. No. 4-1985; 12-17-1985 by L.L. No. 13-1985; 12-17-1985 by L.L. No. 18-1985; 3-25-1986 by L.L. No. 3-1986; 4-28-1987 by L.L. No. 10-1987; 2-19-1991 by L.L. No. 5-1991; 7-9-1991 by L.L. No. 10-1991; 5-21-1996 by L.L. No. 8-1996; 1-28-1997 by L.L. No. 2-1997; 3-18-1997 by L.L. No. 6-1997; 5-21-1997 by L.L. No. 9-1997; 12-16-1997 by L.L. No. 25-1997; 6-8-1999 by L.L. No. 7-1999; 12-14-1999 by L.L. No. 14-1999; 10-2-2001 by L.L. No. 8-2001; 3-12-2002 by L.L. No. 2-2002; 6-25-2002 by L.L. No. 9-2002; 3-11-2003 by L.L. No. 1-2003; 9-30-2003 by L.L. No. 12-2003; 11-15-2005 by L.L. No. 13-2005; 1-3-2006 by L.L. No. 1-2006; 1-24-2006 by L.L. No. 2-2006; 8-22-2006 by L.L. No. 13-2006; 10-3-2006 by L.L. No. 14-2006; 12-12-2006 by L.L. No. 16-2006; 5-29-2007 by L.L. No. 4-2007; 5-29-2007 by L.L. No. 5-2007; 12-11-2007 by L.L. No. 12-2007; 7-29-2008 by L.L. No. 7-2008; 9-22-2008 by L.L. No. 9-2008; 10-2-2008 by L.L. No. 10-2008; 5-19-2009 by L.L. No. 9-2009; 6-23-2009 by L.L. No. 11-2009]

For the purpose of this chapter, the terms used herein are defined as follows:

ABATTOIR

A slaughterhouse for the slaughtering of livestock other than poultry.

ACCESSORY APARTMENT

A separate space within a one-family dwelling, or a structure on property on which exists a one-family dwelling, which is wholly or partly used or arranged, designed or intended to be occupied or used for living or sleeping by one or more human occupants.

ACCESSORY BUILDING OR USE

A subordinate building or use customarily incidental to and located on the same lot occupied by the main building or use.

AFFORDABLE SENIOR CITIZEN FACILITY

A residential dwelling unit made available for sale or rent such that the shelter portion of the housing cost is below the market price of such units, to be determined as follows:

- A. Units for rent. Rent shall not exceed 80% of the county median income, as determined by the United States Department of Housing and Urban Development (HUD), times 30%.
- B. Units for sale. Sales price shall not exceed 45% of the average sales price of single-family homes in the county for the prior 12 months, and be for sale to households whose income is 80% of the county median income as determined by HUD.

AGRICULTURE

The cultivation of the soil for food products or other useful or valuable growths, crops or products of the field or garden, tillage or husbandry, but shall not include dairying, raising of livestock, fowls or birds where the same is carried on as a gainful operation.

ALL-SUITE HOTEL

A commercial building primarily for transient guests and having one or more of the following: lounge, meeting/conference room, dining room and kitchen for the serving of food to be consumed primarily in said dining room. All guest rooms shall contain a sitting room, separate bedroom and the provision of limited kitchen facilities.

ALTERATION

As applied to a building or structure, the change or rearrangement of the structural parts or any enlargement, whether by extending on any side or by increasing in height, or the moving from one location to another. It does not include ordinary repairs to buildings or structures.

AMUSEMENT ARCADE

Any premises where three or more amusement devices are available for operation.

AMUSEMENT DEVICE

Any coin- or token-operated machine, apparatus or contrivance which is used or which may be used as a game of skill or amusement wherein or whereby the player initiates, employs or directs any force or action to, or generated by, the machine, including, but not limited to billiard tables; casino-type games; computerized games; electronic bowling; electronic shuffleboard; pinball machines; shooting galleries; and skill boards. "Amusement devices," for the purpose of this chapter, shall not include bowling alleys and duckpin bowling alleys.

ATTIC

The space between the ceiling joists of the top story and the roof rafters. An attic shall not be used or occupied as living or sleeping quarters. There shall be no fixed stair to any new attic space nor operable windows. Attics shall not have finished floors or heating systems. Attics over one-story extensions shall count as additional gross floor area if the

height from the joist to the underside of the ridge is greater than five feet. Horizontal access to attics shall be limited to nine square feet.

BAR AND GRILL

Any business use in which the primary service offered is the sale of alcoholic beverages for consumption on the premises, regardless of whether food is also served and entertainment of any type is offered.

BASEMENT

That space of a building that is partly below grade which has more than half of its height, measured from floor to ceiling, above the average established finished grade of the ground adjoining the building.

BELOW-GRADE PARKING STRUCTURE

An accessory use in which the final paved surface is located more than 24 inches below the preexisting grade of a building site, and that provides for the parking of vehicles, including drive aisles, and which may include loading areas.

BILLBOARD or POSTER PANEL

A sign erected and maintained by an outdoor advertiser.

BLOCKFRONT

The street and the space surrounding it, including the buildings and open space fronting on both sides of the streets.

BOATEL

A hotel on a waterfront with docks for use by boaters.

BUILDING

A combination of materials other than a structure to form a construction that is safe and stable and adapted to permanent or continuous occupancy for public, institutional, residence, business or storage purposes; the term "building" shall be construed as if followed by the words "or part thereof."

BUILDING DEPARTMENT

The Building Department of the Town of North Hempstead.

BUILDING HEIGHT

The vertical distance measured from the average level of the preexisting grade at the perimeter of the building to the highest point of the roof.

BUILDING OFFICIAL

The officer or other person specifically charged by the Town Board with the administration and enforcement of this chapter, or his duly authorized representative.

CARETAKER UNIT

An accessory living space within a historic building, structure or dwelling intended as a primary residence for the person or family responsible for the maintenance, upkeep and/or security of the building or site. Caretaker units may comprise up to 50% of the

gross floor area of the building, and may have a separate entrance. [Added 9-10-2013 by L.L. No. 4-2013]

CELLAR

That portion of a building with half or more of its floor-to-ceiling height below the average level of the adjoining ground. A "cellar" shall not be used or occupied as living or sleeping quarters.

CHILD-CARE FACILITY

Any program or facility providing care for children for more than three hours but less than 24 hours per day per child on a regular basis away from the child's residence, in which care is provided by someone other than the parent, step-parent, guardian or other relative within the third degree of consanguinity of the parent or step-parent.

- A. This definition shall apply whether or not care is given for compensation.
- B. This definition shall include any facility that provides child-care services as defined in § 390 of the New York State Social Services Law.
- C. This definition shall not include child-care facilities located in private dwellings and multiple-dwelling units licensed and operated in accordance with the regulations set forth by the New York State Office of Children and Family Services.
- D. Medical care or delinquency correction may not be the principal use of the facility.
- E. Child-care facilities shall be licensed by and operated in accordance with the regulations set forth by the New York State Office of Children and Family Services.

CODE ENFORCEMENT OFFICER

The officer or other person specifically charged by the Town Board with the administration and enforcement of this chapter, or his duly authorized representative. [Added 11-16-2010 by L.L. No. 15-2010]

COMMERCIAL PARKING LOT

Any lot or premises, other than one owned or maintained by the municipality, used for parking automobiles or other motor vehicles by the public upon the payment of a fee, whether or not such use is an accessory use.

CONCRETE RECYCLING OPERATION

A facility used for the collection and processing and/or crushing of uncontaminated concrete waste for conversion to recycled concrete aggregate. [Added 8-9-2016 by L.L. No. 6-2016]

CONVENIENCE STORE

A retail sales area that offers for sale prepackaged food or beverages, and may allow for cooking and preparation of ready-to-serve food, for off-site consumption. A convenience

store shall co-locate or coexist only with a gasoline service station or automobile service station, and only as approved by the Town Board.
[Amended 3-22-2016 by L.L. No. 3-2016]

CORNER LOT

A lot situated at the intersection or junction of two or more streets.

CORRAL

An outdoor accessory structure for the storage of shopping baskets, carts and wagons that is made available for use by the shopping public and for the secure storage of carts during hours when the business is closed. [Added 3-8-2011 by L.L. No. 4-2011]

COURT

A required open and unoccupied space on the same lot and enclosed on at least three sides by walls of a building.

[DELICATESSEN]

~~[A retail establishment which cooks, prepares and sells ready to serve food and may offer for sale prepackaged food or beverages primarily for off premises consumption.]~~

DEPARTMENT OF HEALTH

The Department of Health of the County of Nassau and any other health board or department established pursuant to the laws of the State of New York and entrusted with the regulations, control and/or supervision of matters pertaining to and affecting the public health in the Town of North Hempstead.

DEPTH OF A LOT

The mean distance from the street line of the lot to its opposite rear line, measured along the side lines of the lot.

DISPLAY SURFACE

The total number of square feet of sign space on one side of a sign, exclusive of moldings.

DRIVE-THROUGH FACILITY

A business, establishment, building or other structure intended, in whole or in part, to accommodate in-vehicle customer service. Such facilities shall also include, but not be limited to, establishments such as drive-through oil change and/or car wash operations, which utilize a drive-through lane or lanes, but perform their services while customers wait outside their motor vehicles, and establishments that provide in-vehicle customer service via a freestanding box.

DWELLING

A building containing not more than two dwelling units occupied principally for residential uses.

DWELLING UNIT

A portion of a row dwelling housing not more than one family.

EAVE HEIGHT

The top of the uppermost wall plate, as measured from the average level of the preexisting grade at the perimeter of the building.

ELEEMOSYNARY

A not-for-profit organization, public or private, primarily engaged in charitable activities or primarily supported by charitable contributions.

ELECTRONIC CIGARETTE

A device containing a liquid or other substance that is vaporized and inhaled for the purpose of simulating the experience of smoking.
[Added 8-9-2016 by L.L. No. 7-2016]

ELECTRIC VEHICLE CHARGING STATION

A system for the charging of an electric vehicle. Components typically include a charging kiosk and transformer.
[Added 5-13-2014 by L.L. No. 7-2014]

ERECTED

Includes constructed, reconstructed, altered, placed or moved.

EXISTING BUILDING

A building erected prior to the effective date of this chapter.

FAMILY

One individual or a collective group of individuals either:

- A. Related to each other by blood, marriage or adoption who live together in the same dwelling unit, cook together and function as a single, stable housekeeping unit with common access to all rooms and facilities; or
- B. Not related by blood, marriage or adoption but who together constitute the functional equivalent of a natural family, all living together in the same dwelling unit, cooking together and generally functioning as a single, stable housekeeping unit, all with common access to all rooms and facilities, with no member or members of such group subletting, subleasing or otherwise controlling any part of the dwelling separately from the others.

FOOD SERVICE

See definition of "restaurant" contained in this section.

FRONT OF BUILDING

On an interior lot, the exterior wall facing the street. The "front of a building" on a corner lot is the exterior wall where the main entrance is established.

FRONT YARD

A yard across the full width of the lot extending from the front line of the building to the front line of the lot measured between the side property lines.

FRONT YARD, PRIMARY

The front yard with the narrower street frontage. For lots having equal street frontage, the primary front yard shall be the front yard where the main entrance is established.
[Added 7-10-2012 by L.L. No. 11-2012]

GASOLINE SERVICE STATION or AUTOMOBILE SERVICE STATION (used synonymously in this chapter)

The use of premises for the dispensing of motor fuels, lubricants and other materials used in the operation of motor or other vehicles and/or where minor repairs to motor or other vehicles are made.

GASOLINE SERVICE STATION/CONVENIENCE STORE

The co-location of a gasoline service station and a convenience store, only as approved by the Town Board. No use other than a convenience store may coexist or co-locate with a gasoline service station. A gasoline service station/convenience store contains a convenience store that offers for sale food or beverages, in conjunction with the sale of automotive fuel. Other prepackaged goods, household items, automotive fluids and wiper blades, automotive cleaning supplies, oils, waxes and windshield fluids, newspapers and magazines may also be sold at a gasoline service station/convenience store.

[Amended 3-22-2016 by L.L. No. 3-2016]

GROSS FLOOR AREA (NONRESIDENTIAL)

The sum of the gross horizontal areas of the several floors of a building, including interior balconies and mezzanines, but excluding exterior balconies. All horizontal dimensions of each floor are to be measured from the exterior faces of the walls of each such floor, including roofed porches having more than one wall. The "gross floor area" of accessory buildings shall include the floor area of accessory buildings on the same lot, measured the same way. In computing the "gross floor area," there shall be excluded any floor area of a story whose ceiling is less than four feet above grade at the nearest building line and attic space having a headroom of less than seven feet, provided that those areas are nonhabitable and are used for storage or mechanical equipment.

GROSS FLOOR AREA (RESIDENTIAL)

The sum of the gross horizontal area of all floors or stories of a dwelling as measured to the outside surfaces of structural walls as well as attached garages, enclosed porches and roofed porches having more than 50% of the perimeter enclosed or screened and basement areas with ceiling heights in excess of seven feet or greater. Basement areas with a maximum ceiling height of eight feet shall not be included in the gross floor area in all residential building permit applications or amendments submitted prior to December 21, 2007. Attics and cellars shall be excluded from the gross floor area. The gross floor area of detached garages greater than 300 square feet shall be included in their entirety. Gross floor area in dwellings for areas exceeding 10 feet in height shall be counted at 1.5 times the actual floor area except in garages.

GROUND OR FIRST STORY

The lower story entirely above the average level of the ground surrounding a building.

GROUND SIGN and POLE SIGN

A "ground sign" is one securely fastened to the ground by means of two or more supporting posts. A "pole sign" is one attached to the upper part of a single pole securely fastened to the ground.

GROUP GARAGE

A building, one story in height, divided into separate units or with a common means of access, used for the storage of noncommercial automobiles, but not used for servicing or making repairs to automobiles.

HABITABLE FLOOR AREA IN A DWELLING

Rooms occupiable by one or more persons for living, eating and/or sleeping, but not including garages, attics, open porches or terraces, or rooms in cellars. On the first floor, it shall be construed to mean all finished floor area having a clear headroom of 7 1/2 feet or over, including stairwells; on all floors above the first, it shall include all finished or unfinished floor area having a clear headroom of 7 1/2 feet or over for a minimum horizontal measurement of six feet, including all floor area with a height of 5 1/2 feet or greater.

HALF STORY

A half story is that part of any building above a story and having at least two opposite exterior walls meeting a sloping roof at a level no higher above the floor than 1/2 the floor-to-ceiling height of the story below.

HOTEL

A commercial building primarily for transient guests, consisting of three or more stories and having only one dining room and one kitchen for the serving of food to be consumed primarily in said dining room.

INDOOR SMOKING ESTABLISHMENT

Any facility or location whose business operation, whether as its principal or accessory use, includes the indoor smoking of tobacco in any form, electronic cigarettes, vapors, e-liquids, other legal marijuana derivatives or other substances. Smoking is the inhalation of the smoke of burning tobacco encased in cigarettes, pipes, cigars, and pipes commonly known as "hookah," "waterpipe," "shisha" and "narghile" or any similar device, or the inhalation of vapors produced by an electronic cigarette or other device.

[Added 8-9-2016 by L.L. No. 7-2016]

INDUSTRIAL PARK

A special or exclusive type of planned industrial area designed and equipped to accommodate a community of industries, providing them with all necessary facilities and services in attractive surroundings among compatible neighbors.

INDUSTRY

The manufacturing, fabricating, finishing, assembly, treating or processing of articles to be sold at wholesale or retail on a scale exceeding a maximum of five horsepower and requiring more than five operators.

INTERIOR LOT

A lot other than a corner lot.

JUNKYARD

The use of any space, whether open or enclosed, for the collecting, handling, sale, discarding, wrecking, salvage, storage, keeping or abandonment of worn, salvaged,

dismantled, used or discarded wastepaper, junk, rags, scrap, metals, materials, articles, equipment, machinery, vehicles inoperative or not intended to be repaired or any parts thereof.

LANDBANKED PARKING AREA

A designated area or areas on a plot specifically allocated and designed for parking but which is not immediately developed as such. The location of landbanked parking areas shall be in conformance with all restrictions relating to required parking and to any other restrictions specified within this chapter or by any decision of a board or commission having jurisdiction over a specific application.

LODGE

A building used by fraternal organizations.

LOT

Includes plot, tract, premises or parcel of land, with or without buildings or structures located thereon, as surveyed and apportioned for sale or other purpose.

LOT AREA

The area of a lot measured within the boundaries thereof.

LOT COVERAGE

The area of the maximum horizontal cross section of the buildings on a lot, excluding cornices, eaves, gutters or chimneys projecting not more than 24 inches, steps, one-story open porches, bay windows extending not more than one story and projecting not more than five feet, balconies and terraces.

MAIN BUILDING

The building which houses the principal purpose for the utilization of the lot, as permitted under this chapter.

MAINTAIN EXISTING

As used in the Building Department fee schedule established pursuant to § 2-28C, an application for a building permit for construction, changes, alterations, improvements or modifications which had been previously completed without the required permit(s) and inspections.

MARINA

A dock or a commercial mooring area, operated for profit or to which public patronage is invited, providing mooring or docking facilities for boats or vessels.

MARINE

Of or pertaining to the open water, i.e., a bay, harbor, sound, river or lake.

MATERIAL CRUSHING

The crushing of stone, gravel, brick, concrete, slate, granite, sedimentary rock, igneous rock, metamorphic rock, asphalt, tile, adobe, clay, conglomerate rock or other similar material.

[Added 8-9-2016 by L.L. No. 6-2016]

MIXED USE

The combination of retail or office use, accessible to the public, with residential use in the same structure.

MOTHER-DAUGHTER RESIDENCE

- A. A one-family home or residence altered to include an apartment for which a conditional use permit shall have been duly approved by the Board of Zoning and Appeals pursuant to § 70-225B(6) and which complies with the following conditions:
- (1) The apartment is no larger than 700 gross square feet;
 - (2) The cooking facilities in the apartment do not exceed 60 square feet;
 - (3) The fee owner resides within the premises;
 - (4) The apartment resident is either the parent or the child of the fee owner;
 - (5) The premises do not have a separate entrance for the exclusive use of the apartment;
 - (6) There is no exterior stairway to the second floor of the building;
 - (7) The premises have only one set of stairs leading from any one floor to any other floor;
 - (8) The premises are served by only one meter for each utility supplied; and
 - (9) There is no exterior deck attached to any floor above ground level.
- B. If any of the conditions listed above cease to exist, then the premises shall cease to be a mother-daughter residence, the conditional use permit shall expire immediately and the cooking facilities shall be removed in accordance with § 70-225B(6).

MOTOR VEHICLE REPAIR SHOP

A use or building or portion of a building in which mechanical, electrical or other similar power is used in the repair of motor vehicles or in which commercial motor vehicle repair work is done.

MULTIPLE-FAMILY DWELLING

A residence building accommodating three or more families living independently of each other and allowed to do their own cooking on the premises.

NEW CASSEL URBAN RENEWAL AREA

The area identified by the Town Board of the Town of North Hempstead for the undertaking of urban renewal activities pursuant to the New Cassel Urban Renewal Plan.

NEW CASSEL URBAN RENEWAL OVERLAY DISTRICT or OVERLAY DISTRICT

The overlay district established pursuant to and governed by Article XXB of this chapter.

NEW CASSEL URBAN RENEWAL PLAN

The urban renewal plan, as same may be amended from time to time, formulated and considered in accordance with Article 15 of the General Municipal Law, and approved by the Town Board of the Town of North Hempstead at its meeting held on August 12, 2003, pursuant to Resolution No. 280-2003.

NEW CASSEL VISION PLAN

The document entitled "Seeking a Shared Vision for New Cassel-New Cassel Vision Plan," which was accepted by the Town Board of the Town of North Hempstead pursuant to Resolution No. 98-2003, adopted at its meeting held on March 11, 2003.

NONCONFORMING BUILDING

A building which lawfully existed prior to the enactment of this Code, or any amendment thereto, and which is maintained after the effective date thereof although it does not conform to the area and setback regulations of the district in which it is located (i.e., lot area, width or depth; front, side or rear yards; maximum height; lot coverage; etc.).
[Amended 7-10-2012 by L.L. No. 11-2012]

NONCONFORMING USE

A use, whether of a building or tract of land, or both, which lawfully existed prior to the enactment of this Code, or any amendment thereto, and which is maintained after the effective date thereof although it does not conform to the use regulations of the district in which it is located.
[Added 7-10-2012 by L.L. No. 11-2012]

NONPERMITTED SUBSTANTIAL AMENDMENT

As used in the Building Department fee schedule established pursuant to § 2-28C, where substantive changes, modifications, alterations or improvements were made to the work contemplated in the approved building permit and/or plans and specifications which accompanied same, and for which substantive changes, modifications, alterations or improvements were performed without the filing of a new building permit application.

NURSERY SCHOOL

A social and educational program, not located in a private residence, that provides care for three- to five-year olds, and often follows a school-year schedule. Care is restricted to a maximum of three hours per day per child.

NURSING HOME

A skilled nursing facility licensed by the State of New York to provide full-time convalescent or chronic health care under medical supervision to individuals of any age who are unable to fully care for themselves, but not including facilities for surgical care or institutions dedicated to the care and treatment of mental illness, alcoholism or narcotics addiction. No nursing home shall contain any uses other than those permitted pursuant to applicable regulations of the State of New York and the nursing home's operating certificate issued pursuant thereto.

OPEN PORCH

A roofed open structure projecting from the outside wall of a building without a window sash or any other form of enclosure.

OPEN SPACE

The area on a lot that is not covered by structures or paving for parking of automobiles and the access to that parking. Open space includes all landscaped area and patios on grade.

PARKING SPACE

The off-street paved or surfaced area available and usable for the parking of one motor vehicle, having dimensions of not less than 10 feet by 20 feet, exclusive of aisles, driveways, passageways and other necessary space appurtenant thereto and having direct usable access to a street. In satisfying the off-street parking requirements as set forth in § 70-103, for nonmedical office use and industrial use, up to but not exceeding 20% of the off-street parking spaces may have dimensions of not less than nine feet by 18 feet and shall be so designated. With respect to all other uses, all off-street parking spaces must have dimensions of not less than 10 feet by 20 feet. Whenever parking requirements are calculated on the basis of floor area or space, all calculations should be made using the gross floor area, as defined in § 70-231.

PERSON

Includes individual, firm, corporation, partnership, association or other agency of voluntary action.

PORTABLE SHED

A structure of no more than 100 square feet, with a maximum height of 10 feet, not having a firm attachment to the ground, for the storage of garden and recreational equipment.

PREEXISTING GRADE

The elevation of the land prior to commencement of any alteration, grading or construction at the premises.

PREMISES

Includes the land and all buildings or structures thereon.

PRIMARY BUILDING

The building which houses the principal purpose for the utilization of the lot, as permitted under this chapter, excluding any accessory building or permitted encroachments as defined in § 70-101.

[Added 7-10-2012 by L.L. No. 11-2012]

PRIVATE GARAGE

A detached accessory building or part of the main building used for the storage of not more than two noncommercial automobiles or one commercial vehicle and one noncommercial automobile, owned and used by the occupant of the plot on which the main building is erected and in which no business or service is conducted. Any such commercial vehicle must be kept within the garage at all times and shall not contain any flammable, combustible, explosive, toxic or offensive-smelling material. Such accessory

structure shall not exceed 26 feet in width and 24 feet in depth, with garage doors not to exceed eight feet in height.

PROFESSIONAL OFFICE

An office maintained by a doctor, dentist, lawyer, teacher, artist, architect, engineer, accountant, ophthalmic dispenser or musician in the dwelling in which such person resides, provided that such office does not occupy more than 50% of the habitable floor space on the first floor or more than 25% of the habitable floor space of a one-story dwelling and not more than one assistant or employee is employed by such person, and further provided that there is no alteration or change to the exterior of such dwelling which modifies its residential character or use, or the use thereof has no feature which is offensive, annoying or harmful to public health, safety or general welfare by reason of noise, glare, vibration, odor, radiation, dust, fumes or undue traffic.

PUBLIC GARAGE

A use or building, or portion of a building, used for the commercial storage, rental and/or minor repair of motor vehicles.

PUBLIC HOUSING

A building, portion of a building or group of buildings that provides dwellings in a residential environment, subject to the regulations set forth in Article IX of this chapter, and which is owned or operated by one of the following: [Added 6-29-2010 by L.L. No. 7-2010]

- A. The North Hempstead Housing Authority; or
- B. An entity that is working under contract with the North Hempstead Housing Authority; or
- C. A limited partnership whose general partner is the North Hempstead Housing Authority or an entity owned, operated and controlled by the North Hempstead Housing Authority.

REAR YARD

A yard across the full width of the lot extending from the rear line of the building to the rear line of the lot, measured between the side property lines.

RESIDENCE UNIT

A portion of a residence building housing not more than two families and separated from another unit by a party wall. Such unit shall be considered a separate building.

RESTAURANT

A business engaged in the preparation and sale of food and beverages **for consumption either on or off the premises that is not a retail food use.** [~~selected from a full menu and consumed on the premises by patrons seated at a table or counter and served by a waiter or waitress.~~]

[RESTAURANT, FAST-FOOD]

~~[A business enterprise primarily engaged in the sale of ready-to-consume food and beverages generally served in disposable or prepackaged containers or wrappers and~~

~~where patrons usually select their orders from a posted menu offering a limited number of specialized items, such as but not limited to hamburgers, chicken, fish and chips, hero sandwiches, pizza, tacos and hot dogs, which are prepared according to standardized procedures, for consumption either on or off the premises, in a facility where a substantial portion of the sales to the public is by drive-in or takeout services.]~~

RETAIL FOOD USE

A retail establishment which cooks, prepares and sells ready-to-serve food and may offer for sale prepackaged food or beverages primarily for off-premises consumption, which may have no more than 12 seats.

RETAINING WALLS

All walls and other structures of any construction which are intended to, or which in fact, retain or support adjoining earth or rock.

ROW DWELLING

A building consisting of noncommunicating one-family dwelling units, each having its own front and rear entrance. Where a row dwelling contains more than two dwelling units, the walls separating dwelling units shall be constructed and have fire-resistant ratings as follows: The wall separating the second and third dwelling units shall be constructed of wire lath and cement plaster having a fire-resistant rating of not less than one hour. The wall separating the fourth and fifth dwelling units shall be of eight-inch masonry construction with a fire-resistance rating of not less than four hours. Similar construction of separating walls shall continue throughout the building, so that for a row dwelling containing the maximum of 16 families, there shall be four separating walls of wire lath and cement plaster and three separating walls of eight-inch masonry. The determination of the location of separating walls as required herein may be made from either the left or right exterior sidewalls of the building.

SANATORIUM

An institution other than one required to be licensed under the Mental Hygiene Law of the State of New York.

SENIOR ASSISTED-LIVING FACILITY

A building, portion of a building or group of buildings that provide dwellings in a residential environment where individual cooking facilities are limited to microwave ovens and/or cooktops, with assistance available by way of common meals, housekeeping and personal services. Occupancy is restricted to persons 62 years of age or older or couples, one of whose member is 62 years of age or older who may have difficulties with one or more essential activities of daily living, such as feeding, bathing, dressing or mobility.

SENIOR CITIZEN FACILITY

A facility intended to provide for the specialized living and/or daily caregiving needs of persons 62 years of age or older, including senior independent-living facilities, senior congregate-housing facilities, senior assisted-living facilities and senior day-care facilities, except as described in § 70-95.1C.

[Amended 10-21-2014 by L.L. No. 17-2014]

SENIOR CONGREGATE-LIVING FACILITY

A building, portion of a building or group of buildings containing three or more dwelling units where individual cooking facilities are limited to microwave ovens and/or cooktops, specially designed for use and occupancy by the elderly, including a common dining facility and other common amenities and whose occupancy is restricted to persons 62 years of age or older or couples, one of whose member is 62 years of age or older.

SENIOR DAY-CARE FACILITY

A facility with limited operating hours where specialized caregiving and supervision are provided for three or more adults who may have difficulties with one or more essential activities of daily living, such as feeding or mobility, away from their own homes for less than 24 hours per day.

SENIOR INDEPENDENT-LIVING FACILITY

A building, portion of a building or group of buildings containing dwelling units with full kitchens specially designed for use and occupancy by the elderly which may have common amenities but no common dining and whose occupancy is restricted to persons 62 years of age or older or couples, one of whose member is 62 years of age or older, except as described in § 70-95.1C.

[Amended 10-21-2014 by L.L. No. 17-2014]

SENIOR RESIDENCE DISTRICT (R-S)

A building or group of buildings that contain any combination of two or more residential senior citizen facilities, nursing homes or senior day-care facilities on the same site restricted to persons 62 years of age or older or couples, one of whose member is 62 years of age or older, not necessarily regulated under Article 46 of the New York State Public Health Law, except as described in § 70-95.1C.

[Amended 10-21-2014 by L.L. No. 17-2014]

SHOPPING CENTER

Any two or more contiguous retail stores, restaurants, shops for personal services and other places of business, originally planned and developed as a single unit, with adjoining off-street parking.

SIDE YARD

A yard between the side of the building and the corresponding side line of the lot and extending from the front lot line to the rear lot line in the case of a single building on the front portion of the lot. In the case of a rear building on the back portion of a lot, the side yard shall be the yard between the side of said rear building and the corresponding side line of the lot and extending from the front face of said rear building to the rear line of the lot.

SIGN

Includes every kind of billboard, signboard and other shape or device or display arranged, intended, designed or used as an advertisement, announcement or direction, including any text, symbol, marks, letters or figures painted on or incorporated in the composition of the exterior surface of a building or structure.

SINGLE-FAMILY DWELLING

A building designed for and occupied exclusively as a home or residence for not more than one family.

SKY EXPOSURE PLANE

A theoretical inclined plane through which no portion of a building, other than cornices or eaves projecting not more than 18 inches, gutters projecting not more than eight inches and chimneys, may penetrate. It begins at a lot line or other predetermined plane and rises over the zoning lot at a ratio of vertical distance to horizontal distance as set forth in the district regulations.

STORY

That part of any building between the surface of one floor, except a cellar or basement floor, and the surface of the next highest floor or, if there is no higher floor, then that part of the building between the surface of the highest floor and the ceiling above, except an attic ceiling.

STREET

Any public thoroughfare or space more than 20 feet in width which may or may not have been dedicated or deeded to the public for public use.

STREET FRONT

Any property line which abuts a street.
[Added 7-10-2012 by L.L. No. 11-2012]

STREET FRONTAGE

The distance between the boundary lines of a lot when measured along any property line abutting a public street.

STREET LINE

The line dividing a lot from a street.

STRUCTURE

A combination of materials, other than a building, to form a construction that is safe and stable, including, among others, stadiums, gospel and circus tents, reviewing stands, platforms, stagings, observation towers, radio towers, water tanks and towers, trestles, piers, wharves, sheds, commercial coal bins, display signs, fences, retaining walls, outdoor fireplaces, pools and pergolas. The term "structure" shall be construed as if followed by the words "or part thereof."

TELEPHONE EXCHANGE

A building erected or used exclusively as a central station where telephone lines meet and where connections are made between them and where no trucks or materials are stored.

TEMPORARY CARE FACILITY

A facility providing housing on a temporary basis to a limited population upon individual referral by a state or federal agency. Such facilities are staffed full time and may have full- or part-time medical staff on premises and often provide on-site counseling services. Such facilities are not acute care or nursing facilities. [Added 1-24-2012 by L.L. No. 2-2012]

TERRACE

An open porch without a permanent roof.

TOWN OF NORTH HEMPSTEAD

Includes all areas of the Town unincorporated as a village on January 1, 1938, and all areas within the Town and within a village incorporated prior to January 1, 1938, which did not have a valid zoning ordinance on January 1, 1938.

TRAFFIC SEPARATOR

A structure of sufficient height and width to divide traffic flowing in opposite directions.

TRAILER or CAMP CAR

Any vehicle designed or equipped to be used or used for sleeping, living or eating, and designed to move or be moved from place to place on wheels, and to be propelled by its own power or drawn or propelled by another vehicle.

TRANSFER STATION

A solid waste management facility, other than a recyclables handling and recovery facility exclusively handling nonputrescible recyclables, that can have a combination of structures, machinery or devices, where solid waste is taken from collection vehicles and placed in other transportation units for movement to another solid waste management facility. For the purposes of this Chapter 70, the definitions of "solid waste" and "solid waste management facility" shall be those which appear at Chapter 46 of this Code.

TWO-AND-ONE-HALF-STORY BUILDING

One where the provisions of the definition for "two-story building" are complied with and where the main eaves are below the midheight of the third story.

TWO-FAMILY ATTACHED RESIDENCE BUILDING

Residence units, as defined by this chapter, each arranged for two families, separated by an eight-inch masonry fire wall as a party wall.

TWO-FAMILY DETACHED DWELLING

A dwelling designed for and occupied exclusively as a home or residence for not more than two families.

TWO-STORY BUILDING

Any building where the area of the second floor is equal to at least 75% of the area of the first floor.

USED

Includes designed, intended or arranged to be used.

USES

The listed uses permitted in various districts. The listing of any uses as being permitted uses in any district shall be deemed to mean that such uses and no other shall be permitted in such district unless specifically permitted in this chapter. The listing of any use as being permitted in or as being excluded from a particular district shall be deemed to be an exclusion of such use from any more restricted district unless specifically permitted by this chapter. Each of the hereinafter-named districts shall be deemed to be

more restricted than the districts which succeed it and less restricted than the districts which precede it: Residence AAA, Residence AA, Residence A, Residence B, Residence C, Residence D, Multiple Residence, Public Housing Residence, Golden Age Residence, Parking, Transportation, Business AA, Business A, Business B, Planned Industrial Park, Industrial A, Modified Planned Industrial Park, Service Commercial and Industrial B Districts.

VALET PARKING

A service providing for attendants to receive, park and deliver the automobiles of occupants, tenants, customers and visitors.

VEHICULAR STANDING SPACE

A space located within a drive-through lane, having dimensions set forth in § 70-203S, utilized for the temporary stopping or queuing of a vehicle accessing or waiting to access a drive-through facility.

WATER-DEPENDENT USE

An activity or use requiring direct access to water which can be conducted only on, in over or adjacent to Town waterways and which involves the use of waterways as an integral part of such activity.

WIDTH OF A LOT

The mean width measured at right angles to its depth.

YARD

An open and unoccupied space on the same lot with a building, open and unobstructed from the ground to the sky, except as otherwise provided in this chapter.

Section 9.

This Local Law shall take effect immediately upon filing with the Secretary of State.

and; be it further

RESOLVED that the Town Clerk be and hereby is authorized and directed, in the manner required by law, to file a copy of this Local Law with the Secretary of State, and to publish a notice of adoption of this Local Law, which notice shall be in substantially the following form:

NOTICE OF ADOPTION

PLEASE TAKE NOTICE that pursuant to the provisions of Article 9 of the New York State Constitution, the Municipal Home Rule Law, and the Town Law, at a meeting of the Town Board duly held on

March 20, 2018, at Town Hall, 220 Plandome Road, Manhasset, New York, Local Law No. of 2018 was adopted. The local law amends Chapter 70 of the Town Code entitled “Zoning” in order to clarify the regulations concerning alterations to a restaurant and the calculation of parking requirements for a restaurant.

Dated: Manhasset, New York
March 20, 2018

**BY ORDER OF THE TOWN BOARD OF
THE TOWN OF NORTH HEMPSTEAD
WAYNE H. WINK, JR.
TOWN CLERK**

Dated: Manhasset, New York
March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Town Clerk Building Planning

Councilperson Ferrara offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

ORDINANCE NO. 6 - 2018

**A PUBLIC HEARING TO CONSIDER THE RESCISSION AND ADOPTION OF AN
ORDINANCE AFFECTING BEDFORD AVENUE IN GARDEN CITY PARK.**

ORDINANCE NO. T.O. 6 - 2018

GARDEN CITY PARK, NEW YORK

Section 1. All motor or other vehicles of any kind shall comply with the following regulations:

PROPOSAL:

RESCIND:

1. T.O. 9-2008

Adopted April 15, 2008

**BEDFORD AVENUE – NORTH SIDE – THREE HOUR PARKING – 8:00 A.M. TO 5:00 P.M.,
EXCEPT SATURDAY, SUNDAY AND HOLIDAYS –**

From a point 30 feet west of the west curb line of Nassau Boulevard, west, to a point 30 feet east of the east curb line of Corbin Avenue.

2. T.O. 31-1984 (IN PART)

Adopted October 23, 1984

**BEDFORD AVENUE – SOUTH SIDE – TWO HOUR PARKING – 7 A.M. TO 7 P.M. – EXCEPT
SATURDAYS, SUNDAYS AND HOLIDAYS –**

From a point 30 feet east of the east curbline of Corbin Avenue, east to a point 30 feet west of the west curbline of Nassau Boulevard.

ADOPT:

1. **BEDFORD AVENUE – NORTH SIDE – FOUR HOUR PARKING – 9:00 A.M. TO 5:00
P.M. – EXCEPT SATURDAY, SUNDAY AND HOLIDAYS –**

From a point 30 feet west of the west curb line of Nassau Boulevard, west, to a point 30 feet east of the east curb line of Corbin Avenue.

2. **BEDFORD AVENUE – SOUTH SIDE – FOUR HOUR PARKING – 9:00 A.M. TO 5:00
P.M. – EXCEPT SATURDAY, SUNDAY AND HOLIDAYS –**

From a point 30 feet east of the east curb line of Corbin Avenue, east, to a point 30 feet west of the west curb line of Nassau Boulevard..

Section 2. All ordinances or regulations heretofore adopted in conflict with this ordinance are hereby repealed.

Section 3. PENALTIES: “A violation of this ordinance shall be punishable by a fine, or when applicable, by imprisonment, not in excess of the amount set forth in the Vehicle and Traffic Law of the State of New York, or by both such fine and imprisonment, plus any surcharge payable to other governmental entities, and late payment, if applicable.”

Section 4. This ordinance shall take effect ten days from the date of its publication and posting pursuant to Section 133 of the Town Law of the State of New York.

Section 5. This ordinance shall be incorporated in the Uniform Traffic Code of the Town of North Hempstead.

**Dated: March 20, 2018
Manhasset, New York**

**BY ORDER OF THE TOWN BOARD OF
THE TOWN OF NORTH HEMPSTEAD
WAYNE H. WINK, JR.
TOWN CLERK**

PROPOSED RESOLUTION

******* offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:**

RESOLUTION NO. - 2018

THIS ITEM WILL BE ADJOURNED INDEFINITELY AND NO DECISION WILL BE MADE BY THE BOARD. A PUBLIC HEARING TO CONSIDER THE APPLICATION OF ROSLYN HIGHLANDS HOOK & LADDER, ENGINE & HOSE CO., INC. FOR A SPECIAL PERMIT FOR THE PREMISES LOCATED AT 270 WARNER AVENUE, ROSLYN HEIGHTS, NEW YORK AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 7, BLOCK 321, LOT 11.

NO RESOLUTION

PROPOSED RESOLUTION

******* offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:**

RESOLUTION NO. - 2018

THIS ITEM WILL BE ADJOURNED INDEFINITELY AND NO DECISION WILL BE MADE BY THE BOARD. A PUBLIC HEARING TO CONSIDER THE APPLICATION OF ROSLYN HIGHLANDS HOOK & LADDER, ENGINE & HOSE CO., INC. FOR A SPECIAL PERMIT FOR THE PREMISES LOCATED AT 270 WARNER AVENUE, ROSLYN HEIGHTS, NEW YORK AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 7, BLOCK 321, LOT 11.

NO RESOLUTION

Councilperson Ferrara offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 145 - 2018

A PUBLIC HEARING TO CONSIDER THE APPLICATION OF GARDEN CITY PARK ASSOCIATES, LLC FOR SITE PLAN REVIEW FOR THE PREMISES LOCATED AT 2407 -2475 JERICHO TURNPIKE, GARDEN CITY PARK AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 9, BLOCK 612, LOT 39.

WHEREAS, Garden City Park Associates, LLC (the “Applicant”) has applied (the “Application”) to reconfigure an existing parking lot within an established retail center, which includes restriping, changing circulation pattern, and the replacement of landscaping, drainage, and lighting on a 7.12 acre site at the premises located at 2407-2475 Jericho Turnpike, Garden City Park, NY and designated on the Nassau County Land and Tax Map as Section 9, Block 612, Lot 39 (the "Premises"); and

WHEREAS, it has been determined that the Application requires site plan review pursuant to Town Code § 70-219 (“Site Plan Review”); and

WHEREAS, all necessary reports, recommendations, and comments on the Project have been filed with this Board by the Commissioner of Planning and Environmental Protection (the “Planning Commissioner”) pursuant to Town Code §70-219(A)(4); and

WHEREAS, the Town Clerk, pursuant to and in accordance with Town Code §§70-219(F)(1) and 70-240(A), has published notice of a public hearing scheduled for March 20, 2018 for the site plan review (the “Public Hearing”), as authorized and directed by the Town Board pursuant to Resolution No. 37-2018, adopted on January 30, 2018; and

WHEREAS, the Applicant has furnished proof of service of notice of the Public Hearing to the affected property owners within a 300-foot radius of the Premises as required by §70-219(F)(2) of the Town Code, and filed an affidavit as to the mailing of such notices as required thereunder; and

WHEREAS, Nassau County Planning Commission (the “Commission”), pursuant to General Municipal Law § 239-m, received and reviewed copies of the site plan and recommended local determination via letter dated February 15, 2018; and

WHEREAS, the Town’s Department of Building Safety, Inspection and Enforcement (the “Building Department”) issued a Notice of Disapproval on October 6, 2017, citing the following items: (1) the proposed action requires three hundred sixty-four (364) parking spaces pursuant to Town Code § 70-103(A)(1), four (4) less than proposed; and (2) the proposed action requires all

parking spaces to be 10 feet x 20 feet pursuant to Town Code § 70-103(B), one hundred twenty-three (123) of the proposed parking spaced will be 9 feet x 18 feet; and

WHEREAS, on January 10, 2018, pursuant to Appeal No. 20453, the Town of North Hempstead Board of Zoning Appeals (“BZA”) granted variances to the above-referenced code sections; and

WHEREAS, the Planning Department has reviewed the Application and recommends approval of same; and

WHEREAS, it is required that a “lead agency” be established to review the Action pursuant to the rules and regulations for implementation of the New York State Environmental Quality Review Act as set forth in Title 6, Part 617.6 (b) of the Official Compilation of Codes, Rules, and Regulations of the State of New York (“SEQRA Regulations”); and

WHEREAS, the BZA has established itself as “lead agency” and has issued a Negative Declaration on January 10, 2018 determining that the Action constitutes an “unlisted” action pursuant to Section 617.2 (ak) of the SEQRA Regulations which will not result in any significant adverse impacts on the environment based upon the analysis set forth in the Short Environmental Assessment Form (the “SEAF”) for the reasons that the project will not involve significant increases in water use, traffic, energy use, or the generation of solid waste or sewage, that the project is appropriate for the zoning district and there is no appreciable change in the intensity of the use of the property; and

WHEREAS, the Board wishes to concur in the BZA’s determination that the Action constitutes an “unlisted action” and not an excluded or exempt action as defined in Section 617.2 (p) or (q) of the SEQRA regulations and not included in statewide or individual agency lists of Type I or Type II actions, and which will not result in any significant adverse impacts on the environment; and

WHEREAS, this Board has carefully considered the Application, testimony and other relevant evidence at the Public Hearing held on March 20, 2018, and afforded all interested persons the opportunity to be heard; and

WHEREAS, this Board now wishes to render a decision on this Application.

NOW, THEREFORE, BE IT

RESOLVED that the Board recognizes that the BZA has designated itself “lead agency” under the SEQRA Regulations for the Action; and be it further

RESOLVED that the Board concurs in the BZA’s conclusion that the Action is an “unlisted action” which will not result in any significant adverse impact on the environment, based upon the analysis set forth in the SEAF, and upon the testimony and reports adduced at the Public Hearing; and be it further

RESOLVED that this Board finds that the Application and site plan are in compliance with Chapter 70 of the Town Code, and this Board further finds that the site plan is consistent with the spirit and intent of Town Code §70-219; and be it further

RESOLVED that, pursuant to Town Code §70-219(B), the site plan is hereby approved; and be it further

RESOLVED that a copy of this approval shall be filed with the Commissioner of the Building Department (the “Building Commissioner”), and the Building Commissioner is hereby authorized and directed to issue a building permit, upon compliance with the building permit application requirements as set forth in the Town Code, and any other conditions or requirements imposed by any other governmental entity having jurisdiction over the property, and to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Councilperson Zuckerman offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 146 - 2018

A PUBLIC HEARING TO CONSIDER THE APPLICATION OF HERON REAL ESTATE CORP. FOR A SPECIAL USE PERMIT FOR THE PREMISES LOCATED AT 2 GLEN COVE ROAD, GREENVALE AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 19, BLOCK 2, LOT 251.

WHEREAS, Heron Real Estate Corp. (the "Applicant") is seeking to convert an existing gasoline service station to self-service on a 0.3 acre parcel located at 2 Glen Cove Road, Greenvale, New York and identified on the Nassau County Land and Tax Maps as Section 19, Block 2, Lot 251 (the "Application"); and

WHEREAS, it has been determined that the Application requires a special permit approved by the Board of the Town of North Hempstead (the "Town") pursuant to Town Code §§70-203(P) and 70-225 (the "Special Use Permit"); and

WHEREAS, all necessary reports, recommendations, and comments on the Project have been filed with this Board by the Commissioner of Building Safety, Inspection and Enforcement (the "Building Commissioner") of the Town pursuant to Town Code §29A-5(B); and

WHEREAS, the Town Clerk, pursuant to and in accordance with Town Code, has published notice of a public hearing scheduled for March 20, 2018 (the "Public Hearing"), as authorized and directed by the Town Board pursuant to Resolution No. 98-2018, adopted on February 27, 2018, to consider the Application; and

WHEREAS, the Applicant, in the manner required by Town Code § 70-240(C), has furnished proof of service of notice of the Public Hearing to the affected property owners within a 300-foot radius of the Premises, and filed an affidavit as to the mailing of such notices as required thereunder; and

WHEREAS, by letter decision dated February 26, 2018, the Nassau County Planning Commission reviewed the case and recommended local determination; and

WHEREAS, the Town's Department of Building Safety, Inspection and Enforcement (the "Building Department") issued a Notice of Disapproval on July 13, 2017, citing the following items: (1) proposed utility shed on north side of property not permitted by Town Code § 70-139I; (2) proposed utility shed with an 18.5 foot rear yard setback instead of 20 foot setback required by Town Code §§ 70-146A; and (3) proposed utility shed with unprotected corrugated metal roof not

permitted by Town Code § 70-215A; and (4) fenced in trash area with paved surface located within area in violation of Town Code §70-229A as noncompliant with Condition #5 of the rider to BZA Appeal #11228 dated May 24, 1978; and (5) Town Board approval is required pursuant to Town Code §70-203(P)(1) for the conversion of a full-service gasoline service station to a self-service gasoline service station; and

WHEREAS, on January 10, 2018, pursuant to Appeal No. 20427, the Town of North Hempstead Board of Zoning Appeals (“BZA”) granted variances to the above-referenced code sections (except Town Code §70-203(P)(1)), subject to the following conditions;

1. All areas of the parcel listed as “landscaped areas” on the plan prepared by Christopher Mark Tartaglia, P.E. dated December 9, 2015 and revised through September 18, 2017 shall be planted with shrubbery; and
2. All landscaped areas must be irrigated in a manner sufficient to maintain the health of the vegetation

(the “BZA Conditions”); and

WHEREAS, the Department of Planning and Environmental Protection (the “Planning Department”) has reviewed the Application and recommends its approval; and

WHEREAS, it is required that a “lead agency” be established to review the Action pursuant to the rules and regulations for implementation of the New York State Environmental Quality Review Act as set forth in Title 6, Part 617.6 (b) of the Official Compilation of Codes, Rules, and Regulations of the State of New York (“SEQRA Regulations”); and

WHEREAS, the BZA has established itself as lead agency and has concluded that the Application, including the proposed replacement of fuel tanks for the Premises, constitutes an “unlisted” action pursuant to Section 617.2 (ak) of the SEQRA Regulations; and

WHEREAS, the BZA has further determined that the Action will not result in any significant adverse impacts on the environment based upon the analysis set forth in the Short Environmental Assessment Form (the “SEAF”) for the reasons that (I) the proposed Action will not (1) create a material conflict with an adopted land use plan or zoning regulations; (2) result in a change in the use or intensity of use of land; (3) impair the character or quality of the existing community; (4) have an impact on the environmental characteristics that caused the establishment of a Critical Environmental Area; (5) result in an adverse change in the existing level of traffic or affect existing infrastructure for mass transit, biking or walkway; (6) cause an increase in the use of energy and it fails to incorporate reasonably available energy conservation or renewable energy opportunities; (7) impact existing public or private water supplies or wastewater treatment utilities; (8) impair the character or quality of important historic, archaeological, architectural or aesthetic resources; (9) result in an adverse change to natural resources; (10) result in an increase in the potential for erosion, flooding or drainage problems; or (11) create a hazard to environmental resources or human health and (II) that a minor expansion of an established light industrial building is not expected to cause any significant increases in traffic volume, water or energy consumption or the generation of solid waste or sewage; and

WHEREAS, this Board has carefully considered the Application, testimony and other relevant evidence at the Public Hearing held on March 20, 2018, and afforded all interested persons the opportunity to be heard; and

WHEREAS, this Board now wishes to render a decision on this Application.

NOW, THEREFORE, BE IT

RESOLVED that the Board recognizes that the BZA has declared itself “lead agency” and rendered determinations pursuant to SEQRA with regard to the Action; and be it further

RESOLVED that, pursuant to Town Code §§70-203(P) and 70-225, the Application is hereby granted and the Permit is hereby approved, subject to the BZA Conditions; and be it further

RESOLVED that a copy of this resolution shall be filed with the Town Clerk and the Building Commissioner, pursuant to Town Code §§70-203(P) and 70-225, is hereby authorized and directed to issue a building permit: (1) upon compliance with the application requirements as set forth in the Town Code; and (2) upon any other conditions or requirements imposed by any other governmental entity having jurisdiction over the Premises, except as herein above set forth, and to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Councilperson Zuckerman offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 147 - 2018

A PUBLIC HEARING TO CONSIDER THE APPLICATION OF 1175 WILLIS CORP. FOR A PERMIT TO INSTALL AN UNDERGROUND FUEL STORAGE TANK PURSUANT TO CHAPTER 29A OF THE TOWN CODE OF THE TOWN OF NORTH HEMPSTEAD FOR THE PREMISES LOCATED AT 1175 WILLIS AVENUE, ALBERTSON, NEW YORK AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 7, BLOCK 318, LOTS 1 AND 2.

WHEREAS, 1175 Willis Corp. (the “Applicant”) has applied for a permit (the “Underground Storage Permit”) pursuant to Section 29A-4 of the Town Code of the Town of North Hempstead (the “Town Code”) to remove three (3) underground storage tanks and install one (1) 16,000 gallon double-walled underground gasoline storage tank and one (1) 12,000 gallon double-walled fiberglass underground gasoline storage tank on real property located at 1175 Willis Avenue, Albertson, New York and designated on the Nassau County Land and Tax Map as Section 7, Block 318, Lots 1 and 2 (the “Application”); and

WHEREAS, it has been determined that the Application is subject to consideration by the Town Board (the “Board”) of the Town of North Hempstead (the “Town”) under Town Code §29A-8 for the issuance of the Permit; and

WHEREAS, it has been determined that the installation of the new tanks will require a waiver from Town Code §29A-5.A(1) as the proposed tanks are each over 10,000 gallons; and

WHEREAS, all necessary reports, recommendations, and comments on the Project have been filed with this Board by the Commissioner of Building, Safety, Inspection and Enforcement (the “Building Commissioner”) and the Commissioner of Planning and Environmental Protection (the “Planning Commissioner”) of the Town; and

WHEREAS, the Town Clerk, pursuant to and in accordance with Town Code, has published notice of a public hearing scheduled for March 20, 2018 (the “Public Hearing”), as authorized and directed by the Town Board pursuant to Resolution No. 39-2018, adopted on January 30, 2017; and

WHEREAS, the Applicant, in the manner required by Town Code §29A-8(A), has furnished proof of service of notice of the Public Hearing to the affected property owners within a 200-foot radius of the Premises, and filed an affidavit as to the mailing of such notices as required thereunder; and

WHEREAS, it is required that a “lead agency” be established to review the Action pursuant to the rules and regulations for implementation of the New York State Environmental Quality Review Act as set forth in Title 6, Part 617.6 (b) of the Official Compilation of Codes, Rules, and Regulations of the State of New York (“SEQRA Regulations”); and

WHEREAS, this Board, through action of the Town’s Department of Planning and Environmental Protection (the “Planning Department”) pursuant to Town Code §20-4, has established itself as lead agency and wishes to render a determination of significance pursuant to the SEQRA Regulations; and

WHEREAS, the Board has reviewed the actions of the Planning Department, and the Negative Declaration indicating that the Action constitutes an “unlisted action” pursuant to Section 617.2 (ak) of the SEQRA Regulations which will not result in any significant adverse impacts on the environment, based upon the analysis set forth in the Short Form Environmental Assessment (“SEAF”), for reasons that (i) the action (A) will have a minimal impact; (B) is not anticipated to cause a substantial (1) impairment of the character of the community, (2) adverse change in the existing traffic level, (3) impact on existing water supplies or wastewater treatment facilities; (4) increase in the potential for erosion, flooding, or drainage problems; (C) will not cause (1) significant impacts to natural resources, or (2) a major change in the use of either the quantity or type of energy; and (D) will not create a hazard to environmental resources or human health (the “Commissioner’s Determinations and Negative Declaration”); and

WHEREAS, the Board wishes to conclude that the action constitutes an “unlisted action” as not an excluded or exempt action as defined in Section 617.2 (p) or (q) of the SEQRA regulations and not included in statewide or individual agency lists of Type I or Type II actions, and which will not result in any significant adverse impacts on the environment; and

WHEREAS, this Board has carefully considered the Application, testimony and other relevant evidence at the Public Hearing held on March 20, 2018, and afforded all interested persons the opportunity to be heard; and

WHEREAS, this Board now wishes to render a decision on this Application.

NOW, THEREFORE, BE IT

RESOLVED that this Board finds that the replacement of the existing tanks with the new tanks is consistent with the spirit and intent of Town Code §29A-5(B); and be it further

RESOLVED that, pursuant to Town Code §29A-5.B, this Board grants the Applicant a waiver from Town Code §29A-5A(1); and be it further

RESOLVED that, pursuant to Town Code §29A-5(A), the Application is hereby granted and the Permit is hereby approved; and be it further

RESOLVED that a copy of this resolution shall be filed with the Town Clerk and the Building Commissioner, pursuant to Town Code §29A-4 (B), is hereby authorized and directed to issue a building permit: (1) upon compliance with the application requirements as set forth in the Town Code; (2) upon the condition that the permit, as it relates to the installation of the Tank, shall expire on March 19, 2019; and (3) upon any other conditions or requirements imposed by any other governmental entity having jurisdiction over the Premises, except as herein above set forth, and to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Councilperson Kaplan offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 148 - 2018

A PUBLIC HEARING TO CONSIDER THE APPLICATION OF 1111 NORTHERN BOULEVARD LLC FOR A PERMIT TO INSTALL AN UNDERGROUND FUEL STORAGE TANK PURSUANT TO CHAPTER 29A OF THE TOWN CODE OF THE TOWN OF NORTH HEMPSTEAD FOR THE PREMISES LOCATED AT 1111 NORTHERN BOULEVARD, MANHASSET, NEW YORK AND DESIGNATED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 3, BLOCK 236, LOTS 10 AND 11.

WHEREAS, 1111 Northern Boulevard, LLC (the “Applicant”) has applied for a permit (the “Underground Storage Permit”) pursuant to Section 29A-4 of the Code of the Town of North Hempstead (the “Town Code”) to remove three (3) existing underground fuel storage tanks and install two (2) 10,000 gallon underground double-walled fiberglass gasoline storage tanks on real property located at 1111 Northern Boulevard, Manhasset, New York, identified on the Nassau County Land and Tax Map as Section 3, Block 236, Lots 10 and 11 (the “Application”); and

WHEREAS, it has been determined that the Application is subject to consideration by the Town Board (the “Board”) of the Town of North Hempstead (the “Town”) under Town Code §29A-8; and

WHEREAS, all necessary reports, recommendations, and comments on the Project have been filed with this Board by the Commissioner of Building, Safety, Inspection and Enforcement (the “Building Commissioner”) and the Commissioner of Planning and Environmental Protection (the “Planning Commissioner”) of the Town; and

WHEREAS, the Town Clerk, pursuant to and in accordance with Town Code, has published notice of a public hearing scheduled for March 20, 2018 (the “Public Hearing”), as authorized and directed by the Town Board pursuant to Resolution No. 38-2018, adopted on January 30, 2018, to consider the Application; and

WHEREAS, the Applicant, in the manner required by Town Code §29A-8(A), has furnished proof of service of notice of the Public Hearing to the affected property owners within a 200-foot radius of the Premises, and filed an affidavit as to the mailing of such notices as required thereunder; and

WHEREAS, it is required that a “lead agency” be established to review the Action pursuant to the rules and regulations for implementation of the New York State Environmental Quality Review

Act as set forth in Title 6, Part 617.6 (b) of the Official Compilation of Codes, Rules, and Regulations of the State of New York ("SEQRA Regulations"); and

WHEREAS, this Board, through action of the Town's Department of Planning and Environmental Protection (the "Planning Department") pursuant to Town Code §20-4, has established itself as lead agency and wishes to render a determination of significance pursuant to the SEQRA Regulations; and

WHEREAS, the Board has reviewed the actions of the Planning Department, and the Negative Declaration indicating that the Action constitutes an "unlisted action" pursuant to Section 617.2 (ak) of the SEQRA Regulations which will not result in any significant adverse impacts on the environment, based upon the analysis set forth in the Short Form Environmental Assessment ("SEAF"), for reasons that (i) the action (A) will have a minimal impact; (B) is not anticipated to cause a substantial (1) impairment of the character of the community, (2) adverse change in the existing traffic level, (3) impact on existing water supplies or wastewater treatment facilities; (4) increase in the potential for erosion, flooding, or drainage problems; (C) will not cause (1) significant impacts to natural resources, or (2) a major change in the use of either the quantity or type of energy; and (D) will not create a hazard to environmental resources or human health (the "Commissioner's Determinations and Negative Declaration"); and

WHEREAS, the Board wishes to conclude that the action constitutes an "unlisted action" as not an excluded or exempt action as defined in Section 617.2 (p) or (q) of the SEQRA regulations and not included in statewide or individual agency lists of Type I or Type II actions, and which will not result in any significant adverse impacts on the environment; and

WHEREAS, this Board has carefully considered the Application, testimony and other relevant evidence at the Public Hearing held on March 20, 2018, and afforded all interested persons the opportunity to be heard; and

WHEREAS, this Board now wishes to render a decision on this Application.

NOW, THEREFORE, BE IT

RESOLVED that this Board finds that the replacement of the existing tanks with the new tanks is consistent with the spirit and intent of Town Code §29A-5(B); and be it further

RESOLVED that, pursuant to Town Code §29A-5(A), the Application is hereby granted and the Underground Storage Permit is hereby approved; and be it further

RESOLVED that a copy of this resolution shall be filed with the Town Clerk and the Building Commissioner, pursuant to Town Code §29A-4 (B), is hereby authorized and directed to issue a building permit: (1) upon compliance with the application requirements as set forth in the Town Code; (2) upon the condition that the permit, as it relates to the installation of the Tanks, shall expire on March 19, 2019; and (3) upon any other conditions or requirements imposed by any other governmental entity having jurisdiction over the Premises, except as herein above set forth, and to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Councilperson De Giorgio offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 149 - 2018

A PUBLIC HEARING FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE PORT WASHINGTON WATER POLLUTION CONTROL DISTRICT, PURSUANT TO SECTION 202-b OF THE TOWN LAW.

EXTRACT OF MINUTES
Meeting of the Town Board of the
Town of North Hempstead, in the
County of Nassau, New York
March 20, 2018
* * *

A regular meeting of the Town Board of the Town of North Hempstead, in the County of Nassau, New York, was held at the Town Hall, 220 Plandome Road, Manhasset, New York, on March 20, 2018.

There were present: Hon. Judi Bosworth, Supervisor; and

Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman,

There were absent: none

Also present: Wayne H. Wink, Jr., Town Clerk
* * *

The Town Clerk stated that a public hearing had been called for this meeting at the Town Hall, 220 Plandome Road, Manhasset, New York, at 7 o'clock P.M. (Prevailing Time) to consider an increase and improvement of facilities of the Port Washington Water Pollution Control District (the "District"), in the Town of North Hempstead, New York (the "Town") and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law. The Town Clerk read, in full, the notice calling said public hearing and presented affidavits showing that certified copies of said notice had been duly published and posted pursuant to the provisions of Article 12 of the Town Law and mailed by first class mail to each owner of taxable real property in the District.

The Supervisor stated that the hearing in said matter was now open and asked if there were any interested persons present who desired to be heard. The following persons appeared in favor of the increase and improvement of facilities of said District:

The following persons appeared in opposition to the increase and improvement of facilities of said District:

The Town Clerk reported that the following pertinent communications had been received:

The Town Clerk then read such communications, if any, to the meeting.

The Supervisor inquired as to whether there were any other persons present who wished to be heard. No one appeared, whereupon the Supervisor declared the public hearing closed.

Councilperson De Giorgio offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION AND ORDER AFTER PUBLIC HEARING HELD ON MARCH 20, 2018, FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE PORT WASHINGTON WATER POLLUTION CONTROL DISTRICT, PURSUANT TO SECTION 202-B OF THE TOWN LAW

WHEREAS, a map, plan and report have been prepared by D&B Engineers and Architects, P.C., engineers duly licensed by the State of New York (herein called the "Engineers"), for the increase and improvement of facilities of the Port Washington Water Pollution Control District (herein called the "District"), in the Town of North Hempstead, New York (the "Town"), consisting of: (1) asset management system improvements; (2) collection system upgrades; (3) wastewater treatment plant improvements; and (4) Pump Station "R" upgrades and additional wastewater treatment plant improvements and mitigation measures, including any and all necessary furnishings, equipment, machinery, apparatus, installations, appurtenances, accessories and related engineering and other costs in connection with the foregoing, all as further described in detail in the map, plan and report prepared by D&B Engineers and Architects, P.C, at the estimated total cost of \$18,800,000; and WHEREAS, such map, plan and report and an estimate of cost have been filed with the Town Board, and the Town Board thereafter adopted a Resolution describing in general terms the proposed increase and improvement of facilities of the District, specifying the estimated cost thereof, and stating that the Town Board would meet to hear all persons interested in said increase and improvement of facilities on March 20, 2018, at 7 o'clock P.M. (Prevailing Time) at the Town Hall, in said Town; and

WHEREAS, a Notice of such public hearing was duly published and posted pursuant to the provisions of Article 12 of the Town Law; and

WHEREAS, a Notice of such public hearing was also mailed by first class mail to each owner of taxable real property in the District; and

WHEREAS, such public hearing was duly held by the Town Board on this 10th day of September, 2018, at 7:30 o'clock P.M. (Prevailing Time) at the Town Hall, 220 Plandome Road, Manhasset, New York, and considerable discussion on the matter having been had and all persons desiring to be heard having been heard, including those in favor of and those in opposition to said increase and improvement of the facilities of the District; and

WHEREAS, the Board of Commissioners of the District, as lead agency, has given due consideration to the impact that the increase and improvement of the facilities of the District may have on the environment and the District has complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), constituting Article 8 of the Environmental Conservation Law and the applicable documentation thereof has been filed in the office of the Town Clerk;

NOW, THEREFORE, on the basis of the information given at such hearing, it is hereby DETERMINED, that it is in the public interest to increase and improve the facilities of the District as hereinabove described and referred to at the estimated maximum cost of \$18,800,000; and it is hereby

ORDERED, that the facilities of the District shall be so increased and improved and that the District and the Engineers shall prepare plans and specifications and make a careful estimate of the expense for said increase and improvement of the facilities of the District and, with the assistance of the Town Attorney or the Attorney for the District, shall prepare a proposed contract for the execution of

the work, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, that the expense of said increase and improvement of facilities shall be financed by the issuance of \$18,800,000 serial bonds of the Town, and the costs of said increase and improvement of facilities, including payment of the principal of and interest on said bonds, shall be paid by the assessment, levy and collection of special assessments upon the several lots and parcels of land within the District which the Town Board shall deem benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable; and it is hereby

FURTHER ORDERED, that the Town Clerk record a certified copy of this Resolution and Order After Public Hearing in the office of the Clerk of Nassau County within ten (10) days after adoption hereof.

DATED: MARCH 20, 2018

TOWN BOARD OF THE TOWN OF
NORTH HEMPSTEAD

CERTIFICATE

I, Wayne H. Wink, Jr., Town Clerk of the Town of North Hempstead, in the County of Nassau, New York, DO HEREBY CERTIFY that I have compared the preceding Resolution and Order After Public Hearing with the original thereof filed in my office on the 20th day of March, 2018, and the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 20th day of March, 2018.

(SEAL)

Town Clerk

Councilperson De Giorgio offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 150 - 2018

**BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK,
ADOPTED MARCH 20, 2018, APPROPRIATING \$18,800,000 FOR THE INCREASE AND
IMPROVEMENT OF FACILITIES OF THE PORT WASHINGTON WATER POLLUTION
CONTROL DISTRICT, IN SAID TOWN, AND AUTHORIZING THE ISSUANCE OF
\$18,800,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION.**

Recital

WHEREAS, following preparation of a map, plan and report for the increase and improvement of facilities of the Port Washington Water Pollution Control District (the "District"), consisting of: (1) asset management system improvements; (2) collection system upgrades; (3) wastewater treatment plant improvements; and (4) Pump Station "R" upgrades and additional wastewater treatment plant improvements and mitigation measures, including any and all necessary furnishings, equipment, machinery, apparatus, installations, appurtenances, accessories and related engineering and other costs in connection with the foregoing, all as further described in detail in the map, plan and report, prepared by D&B Engineers and Architects, P.C., engineers duly licensed by the State of New York (herein called "Engineer"), on behalf of the District, in the Town of North Hempstead (herein called the "Town"), in the County of Nassau, New York, and after a public hearing duly called and held, the Town Board of the Town determined that it is in the public interest to increase and improve the facilities of the District, and ordered that such facilities be increased and improved;

Now, therefore, be it

**RESOLVED BY THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD, IN THE
COUNTY OF NASSAU, NEW YORK (by the favorable vote of not less than two-thirds of all the
members of said Town Board) AS FOLLOWS:**

Section 1. The Town hereby appropriates the amount of \$18,800,000 for the increase and improvement of facilities of the District as described in the above Recital, all in accordance with the map, plan and report prepared by D&B Engineers and Architects, P.C, engineers duly licensed by the State of New York, on file in the office of the Town Clerk and hereby approved. The estimated maximum cost thereof, including preliminary costs and costs incidental thereto and the financing thereof, is \$18,800,000. The plan of financing includes the issuance of \$18,800,000 bonds of the Town to finance said appropriation, and the assessment, levy and collection of special assessments upon the several lots and parcels of land within the District which the Town Board shall deem benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit which the improvement shall confer upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable.

Section 2. Bonds of the Town are hereby authorized to be issued in the principal amount of \$18,800,000, pursuant to the provisions of the Local Finance Law, constituting Chapter 33-a of the Consolidated Laws of the State of New York (herein called "Law"), to finance said appropriation.

Section 3. The following additional matters are hereby determined and declared:

(a) The period of probable usefulness of the specific object or purpose for which said \$18,800,000 bonds are authorized to be issued, within the limitations of Section 11.00 a. 4. of the Law, is forty (40) years.

(b) The proceeds of the bonds herein authorized and any bond anticipation notes issued in anticipation of said bonds may be applied to reimburse the Town for expenditures made after the effective date of this resolution for the purpose for which said bonds are authorized. The foregoing statement of intent with respect to reimbursement is made in conformity with Treasury Regulation Section 1.150-2 of the United States Treasury Department.

(c) The proposed maturity of the bonds authorized by this resolution will exceed five (5) years.

Section 4. Each of the bonds authorized by this resolution, and any bond anticipation notes issued in anticipation of the sale of said bonds, shall contain the recital of validity as prescribed by Section 52.00 of the Law and said bonds, and any notes issued in anticipation of said bonds, shall be general obligations of the Town, payable as to both principal and interest by a general tax upon all the taxable real property within the Town. The faith and credit of the Town are hereby irrevocably pledged to the punctual payment of the principal of and interest on said bonds, and any notes issued in anticipation of the sale of said bonds, and provision shall be made annually in the budget of the Town by appropriation for (a) the amortization and redemption of the bonds and any notes issued in anticipation thereof to mature in such year and (b) the payment of interest to be due and payable in such year.

Section 5. Subject to the provisions of this resolution and of the Law and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and Section 50.00 and Sections 56.00 to 60.00 and 168.00 of the Law, the powers and duties of the Town Board relative to authorizing bond anticipation notes and prescribing the terms, form and contents and as to the sale and issuance of the bonds herein authorized, and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said bond anticipation notes, and the powers and duties relative to executing contracts for credit enhancements and providing for substantially level or declining annual debt service, are hereby delegated to the Supervisor, the chief fiscal officer of the Town.

Section 6. The validity of the bonds authorized by this resolution, and of any notes issued in anticipation of the sale of said bonds, may be contested only if:

(a) such obligations are authorized for an object or purpose for which the Town is not authorized to expend money, or

(b) the provisions of law which should be complied with at the date of the publication of such resolution, or a summary thereof, are not substantially complied with,

and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or

(c) such obligations are authorized in violation of the provisions of the constitution.

Section 7. This bond resolution shall take effect immediately, and the Town Clerk is hereby authorized and directed to publish the foregoing resolution, in summary, together with a Notice attached in substantially the form prescribed by Section 81.00 of the Law in "Port Washington News" newspaper having general circulation in the Town and hereby designated the official newspapers of the Town for such publication.

* * *

CERTIFICATE

I, Wayne H. Wink, Jr., Town Clerk of the Town of North Hempstead, in the County of Nassau, New York, HEREBY CERTIFY that the foregoing annexed extract from the minutes of a meeting of the Town Board of said Town, duly called and held on March 20, 2018 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of said Town Board and is a true, complete and correct copy thereof and of the whole of said original minutes so far as the same relate to the subject matters referred to in said extract.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town this 20th day of March, 2018.

(SEAL)

Town Clerk

(NOTICE AND SUMMARY OF BOND RESOLUTION FOR PUBLICATION)

NOTICE

The resolution, a summary of which is published herewith, has been adopted on March 20, 2018, and the validity of the obligations authorized by such resolution may be hereafter contested only if such obligations were authorized for an object or purpose for which the Town of North Hempstead, in the County of Nassau, New York, is not authorized to expend money or if the provisions of law which should have been complied with as of the date of publication of this Notice were not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the publication of this Notice, or such obligations were authorized in violation of the provisions of the constitution.

Wayne H. Wink, Jr.

Town Clerk

BOND RESOLUTION OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED MARCH 20, 2018, APPROPRIATING \$18,800,000 FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE PORT WASHINGTON WATER POLLUTION CONTROL DISTRICT, IN SAID TOWN, AND AUTHORIZING THE ISSUANCE OF \$18,800,000 SERIAL BONDS OF SAID TOWN TO FINANCE SAID APPROPRIATION

The object or purpose for which bonds are authorized is various improvements to the facilities of the District, consisting of: (1) asset management system improvements; (2) collection system upgrades; (3) wastewater treatment plant improvements; and (4) Pump Station "R" upgrades and additional wastewater treatment plant improvements and mitigation measures, including any and all necessary furnishings, equipment, machinery, apparatus, installations, appurtenances, accessories and related engineering and other costs in connection with the foregoing.

The maximum amount of obligations authorized to be issued is \$18,800,000.

The period of probable usefulness is forty (40) years.

A complete copy of the bond resolution summarized above shall be available for public inspection during normal business hours at the office of the Town Clerk, Town Hall, 220 Plandome Road, Manhasset, New York.

Dated: March 20, 2018

Manhasset, New York

Councilperson Kaplan offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 143 - 2018

A PUBLIC HEARING TO CONSIDER THE APPLICATION OF BABAK DAMAGHI FOR AN APPEAL FROM A DISAPPROVAL BY THE COMMISSIONER OF BUILDING SAFETY, INSPECTION AND ENFORCEMENT OF A STRUCTURE (DOCK) APPLICATION PURSUANT TO CHAPTER 42 OF THE TOWN CODE FOR THE PROPERTY LOCATED AT 40 SHORE DRIVE, KINGS POINT, NEW YORK AND IDENTIFIED ON THE NASSAU COUNTY LAND AND TAX MAP AS SECTION 1, BLOCK 42, LOT 26-29.

WHEREAS, Babak Damaghi (the “Applicant”), residing at 40 Shore Drive, Kings Point, New York 11024, identified on the Nassau County Land and Tax Map as Section 1, Block 42, Lots 26-29 (the “Premises”), has applied to the Town Clerk (the “Town Clerk”) of the Town of North Hempstead (the “Town”) for a permit under Chapter 42 of the Code of the Town of North Hempstead (the “Town Code”) for the construction of a 5-foot wide by 150-foot long pier; a 3-foot wide by 12 foot long ramp, and a 12-foot wide by 20-foot long float installation on three (3), 12-inch diameter mooring piers (the “Application”); and

WHEREAS, the Town Clerk referred the Application to the Commissioner of Building, Safety Inspection and Enforcement (the “Building Commissioner”) pursuant to Town Code § 42-7 (A) (1); and

WHEREAS, on December 6, 2017, the Building Commissioner disapproved the Application, based upon its inconsistency with (i) Town Code §§42-9A(2), which restricts structures inclusive of the steps, catwalks, ramps and floats from projecting into the waterway the lesser of the distance required to reach navigable water depth, or a length exceeding 150 feet; (ii) Town Code §42-9B(2), which limits fixed docks to a maximum of eight feet above mean high water as defined by the Datum Plane; and (iii) Town Code §42-9B(10), which limits the width of docks such as the float to six feet for a residential permit (the “Determination”); and

WHEREAS, the Town Clerk notified the Applicant of the Determination by letter dated December 7, 2017; and

WHEREAS, the Applicant, by and through its attorney, Harras Bloom & Archer LLP, timely filed a notice of appeal seeking review of the Determination by the Board under Town Code §42-12 (the “Appeal”); and

WHEREAS, Town Code §42-11 requires the Appeal to be heard by the Town Board at a public hearing; and

WHEREAS, pursuant to a resolution duly adopted by the Town Board on February 27, 2018, a public hearing on the Appeal was scheduled for March 20, 2018 at 7:00pm before this Board; and

WHEREAS, having received the Determination and the Appeal, and having heard testimony on the Appeal at the public hearing held on March 20, 2018, the Board wishes to render a determination on the Appeal.

NOW, THEREFORE, BE IT

RESOLVED that the Appeal be and hereby is granted and the Determination is hereby reversed; and be it further

RESOLVED that the Town Clerk shall issue the appropriate permit consistent with this Resolution in accordance with §42-11(E) of the Town Code.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Planning Town Clerk Buildings

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 151 - 2018

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF A LOCAL LAW AMENDING CHAPTER 40A OF THE TOWN CODE ENTITLED "PERSONAL PROPERTY, ABANDONMENT OF."

WHEREAS, the Town Board, as the legislative body of the Town of North Hempstead is empowered to amend the Town Code pursuant to the provisions of Article 9 of the New York State Constitution, the Town Law, and the Municipal Home Rule Law; and

WHEREAS, this Board wishes to set a date for a public hearing to consider the adoption of a Local Law amending Chapter 40A of the Town Code entitled "Personal Property, Abandonment of" in order to allow auctions of personal property to occur via the internet and to clarify the notice provisions to be complied with prior to an auction.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on the 17th day of April, 2018, at 7:00 P.M. in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, for the purpose of considering the adoption of a Local Law amending Chapter 40A of the Town Code entitled "Personal Property, Abandonment of" in order to allow auctions of personal property to occur via the internet and to clarify the notice provisions to be complied with prior to an auction; and be it further

RESOLVED that the Town Clerk be and hereby is authorized and directed to publish a notice of the hearing as required by law, which notice shall be in substantially the following form:

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead at Town Hall, 220 Plandome Road, Manhasset, New York, on the 17th day of April, 2018, at 7:00 P.M., to consider the adoption of a Local Law amending Chapter 40A of the Town Code entitled "Personal Property, Abandonment of" in order to allow auctions of personal property to occur via the internet and to clarify the notice provisions to be complied with prior to an auction.

PLEASE TAKE FURTHER NOTICE that all interested persons shall have an opportunity to be heard concerning the Local Law at the time and place advertised.

PLEASE TAKE FURTHER NOTICE that the full text of the proposed Local Law will be posted on the Town's website and on file in the Office of the Town Clerk prior to the hearing and may be examined during regular business hours.

Dated: Manhasset, New York

March 20, 2018

**BY ORDER OF THE TOWN BOARD OF
THE TOWN OF NORTH HEMPSTEAD
WAYNE H. WINK, JR.
Town Clerk**

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Town Clerk Planning Buildings

Councilperson Zuckerman offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 152 - 2018

A RESOLUTION SETTING A DATE FOR A PUBLIC HEARING TO CONSIDER THE ADOPTION OF AN ORDINANCE AMENDING “PARKS ORDINANCE NO. 1 OF 2016” RELATIVE TO PARKS AND RECREATION FACILITIES IN THE TOWN OF NORTH HEMPSTEAD.

WHEREAS, pursuant to Section 39-24 of the Code of the Town of North Hempstead, the Commissioner of the Department of Parks and Recreation is authorized to adopt rules and regulations governing the use and operation of all parks and town docks, subject to approval by the Town Board; and

WHEREAS, this Board wishes to set a date for a public hearing to consider the adoption of an ordinance amending “Parks Ordinance No. 1 of 2016” in order to provide the Commissioner with rule making authority to allow the presence of dogs in Clark Botanic Gardens, Albertson.

NOW, THEREFORE, BE IT

RESOLVED that a public hearing be held by this Board on the 17th day of April, 2018, at 7:00 P.M. in the Town Board Meeting Room, Town Hall, 220 Plandome Road, Manhasset, New York, for the purpose of considering the adoption of an ordinance amending “Parks Ordinance No. 1 of 2016” in order to provide the Commissioner with rule making authority to allow the presence of dogs in Clark Botanic Gardens, Albertson; and be it further

RESOLVED that the Town Clerk be and hereby is authorized and directed to publish a notice of the hearing, as required by law, which notice shall be in substantially the following form:

NOTICE OF HEARING

PLEASE TAKE NOTICE that a public hearing will be held by the Town Board of the Town of North Hempstead at Town Hall, 220 Plandome Road, Manhasset, New York, on the 17th day of April, 2018, at 7:00 P.M., to consider the adoption of an ordinance amending “Parks Ordinance No. 1 of 2016” in order to provide the Commissioner with rule making authority to allow the presence of dogs in Clark Botanic Gardens, Albertson.

PLEASE TAKE FURTHER NOTICE that all interested persons shall have an opportunity to be heard concerning the ordinance at the time and place advertised.

PLEASE TAKE FURTHER NOTICE that the full text of the proposed ordinance will be posted on the Town's website and on file in the Office of the Town Clerk and may be examined during regular business hours.

Dated: Manhasset, New York

March 20, 2018

**BY ORDER OF THE TOWN BOARD OF
THE TOWN OF NORTH HEMPSTEAD
WAYNE H. WINK, JR.
Town Clerk**

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Town Clerk Parks

Councilperson Kaplan offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 153 - 2018

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD, NEW YORK, ADOPTED ON MARCH 20, 2018, CALLING FOR A PUBLIC HEARING TO BE HELD ON APRIL 17, 2018, FOR THE INCREASE AND IMPROVEMENT OF FACILITIES OF THE GREAT NECK WATER POLLUTION CONTROL DISTRICT, PURSUANT TO SECTION 202-B OF THE TOWN LAW.

Recitals

WHEREAS, on February 24, 2015, after a public hearing duly called and held, the Town Board of the Town of North Hempstead, New York (the "Town"), adopted: (i) a resolution pursuant to Section 202-b of the Town Law, authorizing the increase and improvement of facilities of the Great Neck Water Pollution Control District (herein called the "District") consisting of: (1) digester improvements; (2) construction of a grease receiving station; (3) the acquisition of relining supplies and (4) belt press upgrades to the sludge dewatering system, as further described in detail in the map, plan and report prepared by D&B Engineers and Architects, P.C., engineers duly licensed by the State of New York (herein called "Engineer"), on behalf of the District; the total cost thereof was estimated to be \$16,905,000, and (ii) a bond resolution (Resolution No. 108-2015) appropriating \$16,905,000 therefor, including \$270,000 in grant funds expected to be received by the District from New York State and authorizing the issuance of bonds in the principal amount of not to exceed \$16,635,000 to finance the balance said appropriation;

WHEREAS, the District has received grant funds to pay the cost of the acquisition of the relining supplies referred to in the first recital hereof and will not finance such costs with bonds or notes previously authorized by Resolution No. 108-2015;

WHEREAS, in 2017 the District was awarded additional grant funds in amount of \$12,020,000 from the State of New York on account of the digester improvements and the construction of a grease receiving station referred to in the first recital hereof and for the expansion of the District's microturbine co-generation facility, and the District expects to use the grant funds allocated to the digester improvements and the construction of a grease receiving station in lieu of financing the full cost thereof;

WHEREAS, the Board of Commissioners of the District has determined that the costs of the digester improvements, the construction of a grease receiving station and the belt press upgrades to the sludge dewatering system, all authorized by Resolution No. 108-2015, have increased and the total estimated cost thereof is now determined to be \$18,515,000 (hereinafter the "2015 Project");

WHEREAS, to date, the Town has issued bonds on behalf of the District in the principal amount of \$5,750,000 pursuant to Resolution No. 108-2015 and shall use all of the proceeds of said bonds to finance the portion of the cost of the 2015 Project not paid with the grant funds referred to above;

WHEREAS, the Board of Commissioners of the District has determined that it is in the best interests of the District to (i) upgrade the Shelter Rock and Manhasset Valley Pump Stations, (ii) expand the District's microturbine co-generation facility and (iii) undertake certain bulkhead improvements at the District's sewage treatment plant (the "2018 Project"), including any and all necessary furnishings, equipment, machinery, apparatus, installations, appurtenances, accessories and related engineering and other costs in connection with the foregoing, all as further described in detail in the map, plan and report prepared by the Engineer, on behalf of the District; the total cost thereof is estimated to be \$10,410,000;

WHEREAS, the District has requested that the Town Board amend the proceedings of the Town undertaken for the 2015 Project pursuant to Section 202-b of the Town Law, to (i) increase the cost of the 2015 Project and (ii) authorize the 2018 Project and the payment of the costs and the financing thereof;

WHEREAS, following these amendatory proceedings, the total cost of the 2015 Project and the 2018 Project shall not exceed \$28,925,000 and the District shall apply \$12,290,000 in New York State grant funds awarded to the District to offset said total cost, which shall not require an increase in the \$16,635,000 bonds authorized in 2015; and

WHEREAS, the Board of Commissioners of the District, as lead agency, has given due consideration to the impact that the increase and improvement of the facilities of the District may have on the environment and the District has complied in every respect with all applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), constituting Article 8 of the Environmental Conservation Law and the applicable documentation thereof has been filed in the office of the Town Clerk;

Now, therefore

THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD, IN THE COUNTY OF NASSAU, NEW YORK, HEREBY RESOLVES (by the favorable vote of a majority of all the members of said Town Board) AS FOLLOWS:

Section 1. A meeting of the Town Board of the Town shall be held at the Town Hall, 220 Plandome Road, Manhasset, New York, on April 17, 2018, at 7 o'clock P.M. (Prevailing Time) to amend the proceedings of the Town undertaken for the 2015 Project pursuant to Section 202-b of the Town Law to (i) increase the cost of the 2015 Project and (ii) authorize the 2018 Project and the payment of the costs and the financing thereof, all as described in the recitals hereto, and to hear all persons interested in the subject thereof, concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law.

Section 2. The Town Clerk is hereby authorized and directed to publish, or cause to be published, at least once in "Great Neck Record" newspaper having a general circulation in the Town and hereby designated as the official newspapers for such publication, and to post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a Notice of such public hearing certified by said Town Clerk, in substantially the form attached hereto as **Exhibit A**, the first publication thereof and said posting to be not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

Section 3. The Town Clerk is further authorized and directed to mail, or cause the District to mail, by first class mail to each owner of taxable real property in the District, a Notice of such public hearing, in substantially the form attached hereto as **Exhibit A**, not less than ten (10) nor more than twenty (20) days before the date of such public hearing.

Section 4. This resolution shall take effect immediately.

CERTIFICATE

I, Wayne H. Wink, Jr., Town Clerk of the Town of North Hempstead, in the County of Nassau, New York, DO HEREBY CERTIFY that I have compared the preceding Resolution Calling For a Public

Hearing with the original thereof filed in my office on March 20, 2018, and that the same is a true and correct copy of said original and of the whole thereof.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the corporate seal of said Town on this ____ day of March, 2018.

(SEAL)

Town Clerk

STATE OF NEW YORK)

: ss.

COUNTY OF NASSAU)

WAYNE H. WINK, JR., being duly sworn upon his oath deposes and says:

That he is and at all the times hereinafter mentioned he was the duly elected, qualified and acting Town Clerk of the Town of North Hempstead, in the County of Nassau, State of New York, and that on _____, 2018, he caused to be conspicuously posted and fastened up a certified copy of the Notice of Public Hearing, a true copy of which is annexed hereto and made a part hereof, on the sign board of said Town maintained pursuant to Section 30, subdivision 6, of the Town Law.

Town Clerk

Subscribed and sworn to before me
this ____ day of _____, 2018.

Notary Public, State of New York

STATE OF NEW YORK)

: ss.

COUNTY OF NASSAU)

WAYNE H. WINK, JR., being duly sworn upon his oath deposes and says:

That he is and at all the times hereinafter mentioned he was the duly qualified and acting Town Clerk of the Town of North Hempstead, in the County of Nassau, State of New York, and that on April ___, 2018, he mailed or caused to be mailed, by first class mail, a copy of the Notice of Public Hearing to be held on April 17, 2018, to each owner of property benefitted by the improvements referred to in said Notice as shown upon the assessment roll of said Town.

Town Clerk

Subscribed and sworn to before me
this ____ day of _____, 2018.

Notary Public, State of New York

Exhibit A

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the Town Board of the Town of North Hempstead, in the County of Nassau, State of New York, will meet at the Town Hall, 220 Plandome Road, Manhasset, New York, on April 17, 2018, at 7 o'clock P.M. (Prevailing Time), for the purpose of conducting a public hearing relating to the increase and improvement of facilities of the Great Neck Water Pollution Control District (the "District"), consisting of upgrades to the Shelter Rock and Manhasset Valley Pump Stations, expansion of the District's microturbine co-generation facility and certain bulkhead improvements at the District's sewage treatment plant (collectively the "2018 Project"), as an amendment to certain prior proceedings of the Town undertaken in 2015 on behalf of the District

in connection with the authorization of digester improvements, the construction of a grease receiving station and belt press upgrades to the sludge dewatering system (collectively, the “2015 Project”), the costs of which have increased since such projects were authorized in 2015. The District has received grant funds to pay the cost of the acquisition of relining supplies, which were also authorized in 2015 and will not finance the cost of such project with bonds or notes. The total cost of the 2015 Project and the 2018 Project shall not exceed \$28,925,000 and the District shall apply \$12,290,000 in New York State grant funds awarded to the District to offset said total cost, which shall not require an increase in the \$16,635,000 bonds authorized in 2015.

At said public hearing, the Town Board will hear all persons interested in said subject matter thereof.

BY ORDER OF THE TOWN BOARD OF THE
TOWN OF NORTH HEMPSTEAD

Dated: March 20, 2018

North Hempstead, New York

Wayne H. Wink, Jr.
Town Clerk

Councilperson Russell offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 154 - 2018

A RESOLUTION ACCEPTING GIFTS TO THE TOWN PURSUANT TO TOWN LAW SECTION 64.

WHEREAS, the Town Board, pursuant to Town Law §64(8), may accept gifts for public use; and

WHEREAS, Bethpage Federal Credit Union has proposed to donate Four Hundred Dollars (\$400.00) to sponsor the Town's Health and Wellness Fair on April 14, 2018 at the North Hempstead "Yes We Can" Community Center; and

WHEREAS, TD Bank has proposed to donate Four Hundred Dollars (\$400.00) to sponsor the Town's Health and Wellness Fair on April 14, 2018 at the North Hempstead "Yes We Can" Community Center; and

WHEREAS, this Board wishes to accept the gifts described in this resolution; and

NOW, THEREFORE, BE IT

RESOLVED that this Board hereby gratefully accepts the gifts as set forth above.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Parks and Recreation

Councilperson Russell offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 155 - 2018

A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF A GRANT APPLICATION TO THE "MEET ME AT THE PARK" COLLABORATION OF THE NATIONAL RECREATION AND PARK ASSOCIATION AND THE TAKING OF RELATED ACTION.

WHEREAS, the Town Board (the "Board") of the Town of North Hempstead (the "Town"), is committed to the providing park facilities to Town residents; and

WHEREAS, the Meet Me at the Park program (the "Program") is a collaboration between the National Recreation and Park Association and The Walt Disney Company to bring the magic of parks and recreation to children and families across the United States; and

WHEREAS, a grant (the "Grant") in the amount of \$60,000, subject to a 50% match, is available from the Program; and

WHEREAS, the Grants Coordinator has recommended that the Town be authorized to apply for the Grant in order to complete pathways and build playground equipment at Martin "Bunky" Reid Park, New Cassel; and

WHEREAS, this Board desires to authorize the Town to apply for the Grant.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby authorizes the Town to prepare, an application for the Grant and to allocate such matching funds as are necessary to receive the Grant; and be it further

RESOLVED that the Supervisor is authorized to execute and submit the application any other necessary documents on behalf of the Town in order to apply for the Grant; and be it further

RESOLVED that the Supervisor is authorized to take such other action as may be reasonable and necessary to effectuate the foregoing.

Dated: March 20, 2018

Manhasset, New York

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 156 - 2018

A RESOLUTION AUTHORIZING THE PREPARATION AND SUBMISSION OF AN APPLICATION TO THE NASSAU COUNTY OFFICE OF COMMUNITY DEVELOPMENT FOR 44TH PROGRAM YEAR COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS.

WHEREAS, Nassau County (the “County”) and the Town of North Hempstead (the “Town”) previously entered into a Cooperative Agreement, as amended, to participate in the Community Development Block Grant (“CDBG”) Program administered by the United States Department of Housing and Urban Development (the “Cooperative Agreement”); and

WHEREAS, as a party to the Cooperative Agreement, the Town wishes to make a joint application with the Town Community Development Agency (the “Agency”) for up to Seven Hundred and Forty Thousand and 00/100 Dollars (\$740,000.00) in the CDBG 44th Program Year (the “Application”).

NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby authorizes the Town to prepare, in conjunction with the Agency, the Application; and be it further

RESOLVED that the Supervisor is authorized to execute and submit the Application on behalf of the Town; and be it further

RESOLVED that the Supervisor is authorized to take such other action as may be reasonable and necessary to effectuate the foregoing.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney, Comptroller, Exec. Dir. CDA

Councilperson Russell offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 157 - 2018

**A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR THE
RECONSTRUCTION OF THE GRAND BOULEVARD SIDEWALK, NEW CASSEL, NEW
YORK, DPW PROJECT NO. 16-15.**

WHEREAS, the Town Clerk solicited bids for Reconstruction of the Grand Boulevard Sidewalk, New Cassel, NY, DPW Project No. 16-15 (the “Project”); and

WHEREAS, bids in response to the solicitation (the “Bids”) were received and were opened, which Bids are as follows; and

Bidder	Price
The Landtek Group 325 County Line Road Amityville, NY 11701	\$696,425
Pioneer Landscaping & Asphalt Paving Inc. 325 County Line Road Amityville, NY 11754	\$610,495
Roadwork Ahead, Inc. 180 Linden Avenue Westbury, NY 11590	\$485,000

WHEREAS, after a review of the bids, the Commissioner of the Town’s Department of Public Works (the “Commissioner”) has recommended that the contract for the Project be awarded to Roadwork Ahead, Inc., 180 Linden Avenue, Westbury NY 11590 (the “Contractor”) as the lowest responsible bidder at its bid price of Four Hundred Eighty-Five Thousand and 00/100 Dollars (\$485,000.00); and

WHEREAS, the Town Board desires to authorize the award of a contract to the Contractor as recommended by this Commissioner.

NOW, THEREFORE, BE IT

RESOLVED that a Contract for the Project is hereby awarded to the Contractor, as the lowest responsible bidder, at its bid price of Four Hundred Eighty-Five Thousand and 00/100 Dollars (\$485,000.00), as more particularly set forth in an agreement which will be filed in the Office of the Town Clerk (the "Award"); and be it further

RESOLVED that the Supervisor is hereby authorized to execute the contract documents, and to take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney is hereby authorized and directed to supervise the execution of the contract documents to effectuate the Award; and be it further

RESOLVED that the Comptroller is hereby authorized and directed to pay the cost thereof upon receipt of duly executed contract and certified claims therefor.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller DPW

Councilperson De Giorgio offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 158 - 2018

A RESOLUTION AUTHORIZING AN AWARD IN CONNECTION WITH A REQUEST FOR PROPOSALS FOR PAY-BY-PHONE CREDIT CARD PROCESSING SERVICES FOR THE PORT WASHINGTON PUBLIC PARKING DISTRICT (TNH168-2017).

WHEREAS, the Town solicited proposals for pay-by-phone credit card processing services for the Port Washington Public Parking District (the “Services”); and

WHEREAS, following a review of the proposals, the Director of the Purchasing Department has recommended that the Town enter into an agreement with Passport Parking, Inc., 427 Tatnall Street, Suite 27927, Wilmington, DE 19801-2230 to perform the Services for a term of five (5) years with an option to extend the term for up to five (5) additional years (the “Agreement”); and

WHEREAS, the Services will be provided at no cost to the Town as the parking district has the equipment necessary to use the Services and all transactional fees will be passed along to the customer; and

WHEREAS, the Board finds it in the best interests of the Town to authorize the execution of the Agreement.

NOW, THEREFORE, BE IT

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the Agreement, and to take such further action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to supervise the negotiation and execution of the Agreement, and to take such further action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Town is hereby authorized to extend the Agreement to departments of the Town other than as listed in this resolution should the need arise for credit card processing services in such additional departments; and be it further

RESOLVED that the Office of the Comptroller be and hereby is authorized and directed to pay the costs of the Agreement, upon receipt of a duly-executed Agreement and certified claims therefor.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller PWPPD

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 159 - 2018

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR TREES, FLOWERS AND SHRUBS (TNH038-2018).

WHEREAS, the Director of Purchasing (the “Director”) has solicited bids for trees, flowers, and shrubs; and

WHEREAS, bids were received as forth in Exhibit A attached hereto (the “Bids”); and

WHEREAS, following a review of the Bids, the Director has recommended an award as set forth in Exhibit B attached hereto (the “Award”); and

WHEREAS, this Board wishes to authorize the Award as recommended by the Director.

NOW, THEREFORE, BE IT

RESOLVED that the Award as recommended by the Director is hereby authorized; and be it further

RESOLVED that the Supervisor be and hereby is authorized and directed to execute, on behalf of the Town, any purchase agreements and related documents, a copy of which shall be on file in the Division of Purchasing, and to take such other related action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Comptroller be, and hereby is, authorized and directed to pay the costs of said awards upon receipt of a duly executed and certified claims therefor.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller Purchasing

	TNH038-2018 Trees Flowers and Shrubs			1			2		3	
	Valid March 20,2018-March 19,2020			The Garden Dept Corp			SiteOne Landscape Supply		Landscaping by Country Gardens	
	with an opotion to extend for one			3672 Route 112			323 Long Island Ave		220 Old Country Road	
	additonal year			Coram, NY 11727			Holtsville, NY 11742		East Port, NY 11941	
				Phone: (631) 736-3378			Phone:(631) 289-3500		Phone: (631) 325-1522	
				doncaroleo@gardendep.com			bids@siteone.com		info@countrygardensnursery.com	
			Size		Price/Unit			Price/Unit		Price/Unit
				DELIVERED	PICKED UP (Only applicable within 50 miles of the Town)		DELIVERED	PICKED UP (Only applicable within 50 miles of the Town)		PICKED UP (Only applicable within 50 miles of the Town)
Item #	Section 1. Perennials									
	Perennial Botanical Name	Perennial Common Name								
1	Achillea	Yarrow	1gal	\$6.44	\$6.16		\$6.54	\$6.14	\$7.70	NB
2	Alchemilla	Lady's Mantle	1gal	\$6.44	\$6.16		\$6.54	\$6.14	\$9.90	NB
3	Anemone	Anemone	1gal	\$6.44	\$6.16		\$8.34	\$7.24	\$7.70	NB
4	Aquilegia	Columbine	3 quart	\$6.44	\$6.16		1 gal/ \$6.54	1 gal/ \$6.14	\$7.70	NB
5	Artemisia	Wormwood	1gal	\$6.44	\$6.16		\$6.54	\$6.14	NB	NB
6	Astilbe	False Spirea	1.5gal	\$6.44	\$6.16		\$8.54		\$9.90	NB
7	Baptisia	False Indigo	1.5gal	\$6.44	\$6.16		1 gal/ \$6.54	1 gal/ \$6.14	\$9.90	NB
8	Buddleia	Butterfly Bush	3.8gal	3 gal/\$15.87	3 gal/\$15.18		NB	NB	\$26.40	NB
9	Coreopsis	Tickseed	1gal	\$6.44	\$6.16		\$6.54	\$6.14	\$7.70	NB
10	Crocosmia	Crocosmia	1.5gal	\$6.44	\$6.16		\$8.54	\$7.54	\$9.90	NB
11	Dicentra	Bleeding Heart	1.5gal	\$6.44	\$6.16		\$8.54	\$7.54	\$9.90	NB
12	Digitalis	Foxglove	1.5gal	\$6.44	\$6.16		1 gal/ \$6.54	1 gal/ \$6.14	\$9.90	NB
13	Echinacea	Coneflower	1.5gal	\$6.44	\$6.16		1 gal/ \$7.04	1 gal/ \$6.04	\$8.80	NB
14	Hemerocallis	Daylily	1.5gal	\$6.44	\$6.16		\$8.54	\$7.54	\$8.80	NB
15	Hosta	Plantain Lily	1.5gal	\$6.44	\$6.16		\$8.54	\$7.54	\$8.80	NB
16	Iris	Iris	1.5gal	\$6.44	\$6.16		\$8.54	\$7.54	\$7.70	NB
17	Liatris	Gayfeather	1.5gal	\$6.44	\$6.16		\$8.54	\$7.54	\$7.70	NB
18	Ligularia	Ligularia	1.5gal	\$6.44	\$6.16		\$8.54	\$7.54	\$9.90	NB
19	Lilium	Lily	1.5gal	\$6.44	\$6.16		1 gal/ \$8.54	1 gal/ \$7.54	\$9.90	NB
20	Liriope	Lily-turf	1gal	\$5.98	\$5.72		\$6.04	\$5.54	\$6.60	NB
21	Nepeta	Cat Mint	1gal	\$6.44	\$6.16		\$6.54	\$6.14	\$7.70	NB
22	Paeonia	Peony	2.3 gal	\$17.48	\$16.72		\$14.50	\$13.75	\$19.80	NB
23	Perovskia	Russian Sage	1.5gal	\$6.44	\$6.16		1 gal/ \$6.54	1 gal/ \$6.14	\$9.90	NB
24	Pulmonaria	Lungwort	1gal	\$6.44	\$6.16		1 gal/ \$8.34	1 gal/ \$7.34	NB	NB
25	Salvia	Sage	1gal	\$6.44	\$6.16		\$6.54	\$6.14	\$9.90	NB
26	Sedum	Stonecrop	8"pan/1.5gal	\$6.44	\$6.16		\$6.54/\$8.54	\$6.14/\$7.54	\$9.90	NB
27	Stokesia	Stokes' Aster	1gal	\$6.44	\$6.16		\$6.54	\$6.14	NB	NB
28	Lychnis	Maltese Cross	1 gal	\$6.44	\$6.16		\$6.54	\$6.14	NB	NB
29	Dianthus	Dianthus	1 gal	\$6.44	\$6.16		\$6.54	\$6.14	\$9.90	NB
30	Papaver	Poppy	1 gal	\$6.44	\$6.16		\$6.54	\$6.14	\$9.90	NB
31	Amsonia hubrichtii		Provide Qty. & Price	1 gal/ \$7.36	1 gal/ \$7.04		1 gal/ \$8.34	1 gal/ \$7.25	NB	NB
32	Carex	Ice Dance	Provide Qty. & Price	1 gal/ \$8.28	1 gal/ \$7.92		1 gal/ \$8.34	1 gal/ \$7.25	\$9.90	NB
33	Leucanthemum x superbum	Becky	Provide Qty. & Price	1 gal/ \$6.44	1 gal/ \$6.16		1 gal/ \$6.54	1 gal/ \$6.14	NB	NB
34	Rudbeckia nitida	Autumn Sun	Provide Qty. & Price	2 gal/ \$8.97	2 gal/ \$8.58		1 gal/ \$7.10	1 gal/ \$7.54	NB	NB
35	Stachys byzantina	Helene Von Stein	Provide Qty. & Price	1 gal/ \$6.44	1 gal/ \$6.16		1 gal/ \$6.54	1 gal/ \$6.14	NB	NB

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	Ornamental Grass									
36	Festuca	Fescue	1gal	\$6.21	\$5.94		1 gal/ \$7.25	1 gal/ \$6.50	\$8.80	NB
37	Hakenechola	Hakone Grass	3 quart	\$11.96	\$11.44		1 gal/ \$14.25	1 gal/ \$13.25	\$13.20	NB
38	Miscanthus	Maiden Grass	1.5gal	\$8.28	\$7.92		3 gal/ \$15.04	3 gal/ \$14.04	\$13.20	NB
39	Panicum	Switch Grass	1.5gal	\$10.12	\$9.68		3 gal/ \$15.04	3 gal/ \$14.04	\$11.00	NB
40	Pennisetum	Fountain Grass	1.5	\$8.51	\$8.14		3 gal/ \$15.04	3 gal/ \$14.04	\$13.20	NB
41	Fern Botanical Name	Fern Common Name	Size	NB	NB		NB	NB	\$11.00	NB
42	Adiantum	Maidenhair Fern	1gal	\$7.36	\$7.04		\$8.25	\$7.54	NB	NB
43	Athyrium	Lady Fern	1gal	\$7.82	\$7.48		\$8.25	\$7.54	\$8.80	NB
44	Dryopteris	Wood Fern	1gal	\$6.44	\$6.16		\$8.25	\$7.54	\$8.80	NB
45	Matteuccia	Ostrich Fern	1gal	\$7.82	\$7.48		\$8.25	\$7.54	\$8.80	NB
46	Onoclea	Sensitive Fern	1gal	\$7.13	\$6.82		\$8.25	\$7.54	\$8.80	NB
47	Osmunda	Flowering Fern	1gal	\$7.59	\$7.26		\$8.25	\$7.54	\$8.80	NB
48	Polystichum	Holly Fern	1gal	\$7.59	\$7.26		\$8.25	\$7.54	\$8.80	NB
49	Panicum virgatum	Heavy Metal	Provide Qty. & Price	2 gal/ \$10.58	2 gal/ \$10.12		3 gal/ \$15.04	3 gal/ \$14.04	\$13.20	NB
	Section 2. Shrubs									
	Shrub Botanical Name	Common Name	Size	Price/Unit			Price/Unit		Price/Unit	
50	Abelia	Glossy Abelia	3gal	\$16.10	\$15.40		\$25.75		\$24.20	NB
51	Aucuba japonica	Japanese Aucuba	3gal	\$23.00	\$22.00		\$19.75		\$24.20	NB
52	Azalea (Evergreen)	Evergreen Azalea	3gal	\$17.48	\$16.72		\$20.75		\$19.80	NB
53	Buxus	Boxwood	3 gal & 5 gal	3 gal/ \$18.86	3 gal/ \$18.04		\$26.75/\$43.75		\$30.80/\$53.90	NB
54	Cedrus atlantica 'Glauca'	Blue Atlas Cedar	7-8'	\$156.40	\$149.60		\$277.65		NB	NB
55	Cercis cansdensis	Redbud	15gal	\$78.20	\$74.80		\$115.75		\$165.00	NB
56	Cornus alba/sericea	Dogwood	3gal	\$16.10	\$15.40		\$16.75		\$19.80	NB
57	Cytisus (assorted colors)	Scotchbroom	2.5gal	\$19.32	\$18.48		\$26.75		\$22.00	NB
58	Daphne	Daphne	2gal	\$34.50	\$33.00		\$32.75		\$26.40	NB
59	Enkianthus	Enkianthus	3gal	\$23.92	\$22.88		\$26.75		\$26.40	NB
60	Euonymus japonica	Japanese Euonymus	3/5gal	3 gal/ \$25.30	3 gal/ \$24.20		\$29.75/\$33.75		\$27.50/\$44.00	NB
61	Euonymus fortunei	Euonymus	3gal	\$17.94	\$17.16		\$25.75		NB	NB
62	Forsythia intermedia	Forsythia	3gal	\$20.70	\$19.80		\$15.75		\$16.50	NB
63	Forthergilla	Forthergilla	3gal	\$23.00	\$22.00		\$26.75		\$30.80	NB
64	Hamamelis intermedia	Witchhazel	7gal	\$33.12	\$31.68		\$44.75		virgimani/\$49.50	NB
65	Hydrangea species	Hydrangea	3/5gal	\$18.86	\$18.04		\$20.95/\$32.95		\$26.40/\$38.50	NB
66	Ilex crenata (assorted varieties)	Japanese Holly	5gal	\$23.00	\$22.00		\$29.75		\$35.20	NB
67	Ilex meserveae (assorted varieties)	Meserveae Holly	5gal	\$32.20	\$31.68		\$32.75		\$44.00	NB
68	Juniperus chinensis (assorted varieties)	Juniper	3/5gal	3 gal/ \$14.26	3 gal/ \$13.64		\$18.75/\$28.48		\$19.80	NB
69	Juniperus horixontalis (assorted varieties)	Juniper	3gal	\$14.26	\$13.64		\$18.75		\$19.80	NB
70	Lagerstroemia (assorted colors)	Crape Myrtle	5gal	\$25.76	\$24.64		\$24.27		\$38.50	NB

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71	Ligustrum	Privet	5gal	\$15.64	\$14.96		\$22.75			\$30.80	NB
72	Magnolia	Magnolia	7gal	\$73.60	\$70.40		\$43.75			\$55.00	NB
73	Myrica pensylvanica	Bayberry	3gal	\$16.56	\$15.84		\$19.15			\$26.40	NB
74	Nandina domestica	Heavenly Bamboo	3gal	\$17.94	\$17.16		\$21.75			5 gal/\$44.00	NB
75	Picea glauca 'Conica'	Dwarf Alberta Spruce	3gal	\$34.04	\$32.56		\$29.75			\$26.40	NB
76	Picea pungens Glauca	Colorado Blue spruce	5-6'	\$82.80	\$79.20		\$92.75			\$104.50	NB
77	Pieris japonica (assorted varieties)	Japanese Pieris	5gal	\$33.12	\$31.68		\$41.82			\$60.50	NB
78	Pinus mugo	Mugo Pine	3gal	\$20.24	\$19.36		\$24.78			\$35.20	NB
79	Prunus cistena	Purple leaf Sand Cherry	5gal	\$23.92	\$22.88		\$28.75			\$38.50	NB
80	Prunus laurocerasus 'Otto Luyken'	Cherrylaurel	5gal	\$30.36	\$29.04		\$36.75			18-24"/\$49.50	NB
81	Prunus laurocerasus 'Schipkaensis'	Skip Laurel	5gal	\$29.44	\$28.16		\$36.75			\$49.50	NB
82	Pyracantha	Firethorn	5gal	\$32.20	\$30.80		\$42.75			NB	NB
83	Rhamnus Fine Line	Buckthorn	3gal	\$27.60	\$26.40		\$23.75			NB	NB
84	Rhododendron (various colors)	Rhododendron	3/5gal	3 gal/ \$23.92	3 gal/ \$22.88		\$28.75/\$46.75			\$35.20/\$60.50	NB
85	Salix integra	Dappled Willow	3gal	\$16.56	\$15.84		\$29.75			\$26.40	NB
86	Skimmia japonica	Japanese Skimmia	3gal	\$26.68	\$25.52		\$36.75			\$39.60	NB
87	Spiraea (assorted varieties)	Spiraea	3gal	\$14.95	\$14.30		\$15.75			\$19.80	NB
88	Syringa (assorted varieties)	Lilac	3/5gal	\$20.24	\$19.36		\$24.75/\$35.75			\$38.50	NB
89	Taxus (assorted varieties)	Yews	24-30"	\$33.12	\$31.68		\$36.75			\$38.50	NB
90	Viburnum (assorted varieties)	Viburnum	3/5gal	\$17.94	\$17.16		\$20.75/\$28.75			\$44.00	NB
91	Vitex	Chaste tree	3gal	\$17.48	\$16.72		\$42.75			\$38.50	NB
92	Weigela	Weigela	3gal	\$17.94	\$17.16		\$20.75			\$22.00	NB
93	Thuja occidentalis (assorted varieties)	American Arboritate	4-5ft./5-6ft	\$36.80/\$44.16	\$35.20/\$42.24		\$48.75/\$71.75			5-6 '/\$82.50	NB
94	Thuja pilcata (assorted varieties)	Western Aborvitae	4-5ft/ 5-6ft	\$55.20/\$69.00	\$52.80/\$66.00		\$67.75/\$92.75			5-6'/ \$104.50	NB
95	Rosa Sp.	Rose Species	3 gal	\$16.33	\$15.62		\$18.75			\$26.40	NB
96	Chamaecyparis Pisifera	Cypress	3 gal	\$21.16	\$20.24		\$22.75			\$26.40	NB
97	Cupressocyparis leylandii	Leyland Cypress	4-5/5-6	\$50.60/\$103.04	\$48.40/\$98.56		\$53.75/\$97.75			4-5'/ \$55.00	NB
98	Picea Abies	Norway Spruce	4-5/5-6	\$46.00/\$70.84	\$44.00/\$67.76		\$79.75/\$104.99			5-6'/ \$93.50	NB
99	Juniperus Virginiana	Eastern Red Cedar	4-5/5-6	\$59.80/\$87.40	\$57.20/\$83.60		\$68.75/\$105.75			5-6'/ \$121.00	NB
100	Amanagowa Cherry		25 gal	\$133.40	\$127.60		\$167.75			\$137.50	NB
101	Cephalotaxus harringtonia	Duke Gardens'	Provide Qty. & Price	3 gal/ \$20.24	3 gal/ \$19.36		3 gal/ \$28.75			NB	NB
102	Clethra alnifolia	Compacta	Provide Qty. & Price	3 gal/ \$15.64	3 gal/ \$14.96		3 gal/ \$18.75			\$19.80	NB
103	Daphne x transatlantica	Jim's Pride' (Daphne caucasica)	Provide Qty. & Price	2 gal/ \$34.50	2 gal/ \$33.00		3 gal/ \$44.75			NB	NB
104	Hibiscus syriacus	Diana	Provide Qty. & Price	3 gal/ \$17.94	3 gal/ \$17.16		5 gal/ \$36.75			\$30.80	NB
105	Hypericum frondosum	Sunburst	Provide Qty. & Price	3 gal/ \$14.72	3 gal/ \$14.08		3 gal/ \$22.75			NB	NB
106	Ilex crenata	Soft Touch'	Provide Qty. & Price	3 gal/ \$18.40	3 gal/ \$17.60		3 gal/ \$17.75			NB	NB
107	Stephanandra incisa	Crispa	Provide Qty. & Price	2 gal/ \$17.48	2 gal/ \$16.72		3 gal/ \$19.75			NB	NB
	Section 3. Vines and Groundcover										

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	Vines and Groundcovers									
108	Clematis	Clematis	3gal	\$25.30	\$24.20		\$36.75		NB	NB
109	Hydrangea petiolaris	Climbing Hydrangea	2gal	\$24.84	\$23.76		\$34.75		NB	NB
110	Ajuga (assorted varieties)	Bugleweed	Flat/24	\$19.78	\$18.92		\$21.95		\$24.20	NB
111	Hedera helix	English Ivy	Flat/24	\$20.70	\$19.80		\$21.95		\$24.20	NB
112	Pachysandra terminalis	Japanese spurge	Flat/24	\$19.78	\$18.92		\$21.95		\$24.20	NB
113	Vinca minor	Myrtle	Flat/24	\$21.16	\$20.24		\$21.95		\$38.50	NB
114	Asclepias tuberosa		Provide Qty. & Price	1 gal/ \$7.13	1 gal/ \$6.82		1 gal/ \$7.75		1 gal/\$8.80	NB
115	Carex flaccosperma		Provide Qty. & Price	1 gal/ \$8.74	1 gal/ \$8.36		1 gal/ \$9.75		NB	NB
116	Ceratostigma plumbaginoides		Provide Qty. & Price	1 gal/ \$6.44	1 gal/\$6.16		1 gal/ \$6.54		NB	NB
117	Epimedium x perralchicum	Frohnleiten	Provide Qty. & Price	1 gal/ \$9.43	1 gal/\$9.02		1 gal/ \$9.54		NB	NB
118	Geranium x cantabrigiense	Biokovo	Provide Qty. & Price	1 gal/ \$6.44	1 gal/\$6.16		1 gal/ \$6.54		NB	NB
119	Heuchera Americana		Provide Qty. & Price	1 gal/ \$7.36	1 gal/\$7.04		1 gal/ \$6.54		1 gal/\$8.80	NB
120	Microbiota decussata		Provide Qty. & Price	2 gal \$15.18	2 gal/\$14.52		1 gal/ \$22.75		3 gal/\$26.40	NB
121	Phlox subulata		Provide Qty. & Price	1 gal/ \$6.21	1 gal/\$5.94		1 gal/ \$6.54		NB	NB
122	Phlox stolonifera		Provide Qty. & Price	1 gal/ \$6.44	1 gal/\$6.16		1 gal/ \$6.54		NB	NB
123	Sarcococca hookeriana var.huhumilis		Provide Qty. & Price	1 gal/ \$9.20	1 gal/\$8.80		1 gal/ \$34.75		3 gal/\$38.50	NB
124	Schizachyrium scoparium		Provide Qty. & Price	2 gal \$11.96	2 gal/ \$11.44		1 gal/ \$7.45		1 gal/ \$8.80	NB
125	Waldsteinia ternata		Provide Qty. & Price	1 gal/ \$6.44	1 gal/\$6.16		1 gal/ \$9.75		NB	NB
	Annuals	Size								
126	Assorted Annuals	Flats of 48		\$11.73	\$11.22		\$13.75		NB	NB
127	Assorted Annuals	4 1/2 inch pot 15 per tray		\$1.98	\$1.89		\$2.97		NB	NB
128	Assorted Annuals	1quart pot 8 per tray	3 1/2"	\$1.29	\$1.23		NB		NB	NB
129	Assorted Annuals	1gallon annual (ex. Annual Hibiscus)	6 1/2 "	\$3.45	\$3.30		\$11.50		NB	NB
130	Assorted hanging baskets		10"	\$20.70	\$19.80		\$13.75		NB	NB
	Bulbs	Size								
131	Darwin Tulips	Price per 100		\$37.72	\$36.08		\$49.00		NB	NB
132	Daffodils	Price per 100		\$41.40	\$39.60		\$50.00		NB	NB
133	Hyacinth	Price per 100		\$56.10	\$53.68		\$120.00		NB	NB
	Section 4. Trees									
	Common Name									
134	Maple	Red Sunset Maple	2" cal.	\$165.60	\$158.40		\$202.11		\$275.00	NB
		Autumn Blaze Maple		\$165.60	\$158.40		\$202.11		\$275.00	NB
		Brandywine Maple		\$165.60	\$158.40		\$192.75		NB	NB
		October Glory		\$165.60	\$158.40		\$202.11		\$275.00	NB
		Pacific Sunset Maple		\$165.60	\$158.40		\$220.59		NB	NB
		Red Sunset Maple		\$165.60	\$158.40		\$202.11		\$275.00	NB
		Royal Red Norway Maple		\$165.60	\$158.40		\$226.39		NB	NB

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		Somerset Red Maple		\$165.60	\$158.40		\$242.65		NB	NB
		Sun Valley Red Maple		\$165.60	\$158.40		\$202.11		NB	NB
135	Dogwood	White Flowering Dogwood	5-6 '	\$73.60	\$70.40		\$85.75		\$104.50	NB
136	Ginkgo		2" cal.	\$179.40	\$171.60		\$237.26		NB	NB
137	Cornus	Dogwood Cherry Brave	2" cal.	\$156.40	\$149.60		\$207.81		\$214.50	NB
		Dogwood Cherry Princess		\$165.60	\$158.40		\$207.81		\$214.50	NB
		Dogwood Stellar Pink		\$179.40	\$171.60		\$207.81		\$214.50	NB
138	Crataegus	Winter King Hawthorn	2" cal.	\$179.40	\$171.60		\$198.75		NB	NB
139	Cupressocyparis	Leyland Cypress	5-6 '	\$103.04	\$98.56		\$89.75		NB	NB
140	Gleditsia	Skyline Honeylocust	2" cal.	\$156.40	\$149.60		\$197.75		\$93.50	NB
141	Juniperus	Hollywood Juniper	5-6 '	\$96.60	\$92.40		\$141.21		\$159.50	NB
142		Red Cedar		\$87.40	\$93.10		\$105.75		\$137.50	NB
143	Pinus	White Pine		\$69.00	\$66.00		\$90.75		\$93.50	NB
144	Prunus(Cherry)	Canada Red Cherry	2" cal.	\$161.00	\$154.00		\$142.75		\$214.50	NB
		Yoshino Cherry		\$151.80	\$145.00		\$177.41		\$214.50	NB
		Kwanzan		\$151.80	\$145.20		\$184.06		\$214.50	NB
145	Prunus (Plums)	KV Purple Leaf Plum	2" cal.	\$147.20	\$140.80		\$180.75		\$176.00	NB
146	Quercus	Pin Oak	2" cal.	\$156.40	\$149.60		\$204.96		\$247.50	NB
		Red Oak		\$161.00	\$154.00		\$216.75		\$280.50	NB
		Scarlet Oak		\$161.00	\$154.00		\$216.75		NB	NB
147	Thuja	Emerald Green	2" cal.	\$66.24	\$63.36		\$64.75		\$60.50	NB
148	Ulmus	Prospector Elm	2" cal.	\$161.00	\$154.00		\$216.75		\$247.50	NB
149	Zelcova	Green Vase Zelcova	2" cal.	\$170.20	\$162.80		\$231.75		\$247.50	NB
		Musashino Zelcova		\$170.20	\$162.80		\$231.75		NB	NB
		Village Green Zelcova		\$170.20	\$162.80		\$231.75		\$247.50	NB
		Wireless		\$170.20	\$162.80		NB		NB	NB
		City SpriteAmal		\$170.20	\$162.80		NB		NB	NB
150		Chantilear Pear	2" cal.	\$140.76	\$134.64		\$180.75		\$247.50	NB
151	Acer ginnala	Amur Maple	2 1/2"	\$165.60	\$158.40		\$172.00		\$247.50	NB
152	Acer campestre	Hedge Maple	2 1/2"	\$161.92	\$154.88		\$245.75		\$247.50	NB
153	Acer buergeranum	Trident Maple	2 1/2"	\$165.60	\$158.40		\$245.75		\$247.50	NB
154	Acer tataricum	Tataricum Maple	2 1/2"	\$165.60	\$158.40		\$220.58		NB	NB
155	Amelanchier "Autum Sunset"	Serviceberry	2 1/2"	\$202.40	\$193.60		\$272.00		NB	NB
		Cumulus	2 1/2"	\$165.60	\$158.40		\$272.00		NB	NB
		Autumn Brilliance	2 1/2"	\$165.60	\$158.40		\$272.00		\$275.00	NB
		Robin Hill	2 1/2"	\$165.60	\$158.40		\$272.00		NB	NB
156	"Cumulus", "Robin Hill Pink"			NB	NB		\$272.00		NB	NB
157	Carpinus caroliniana	American Hornbeam	2 1/2"	\$179.40	\$171.60		\$252.75		NB	NB

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158	Crataegus cruz-galli "Inermis"	Thornless Cockspur	2 1/2"	\$179.40	\$171.60		\$275.75		NB	NB
		Hawthorne		\$179.40	\$171.60		NB		NB	NB
159	Koelreuteria paniculata	Golden Raintree	2 1/2"	\$174.80	\$167.20		\$286.75		NB	NB
160	Cornus kousa	Kousa Dogwood	2 1/2"	\$207.00	\$198.00		\$264.75		\$269.50	NB
161	Malus spp.	Crabapple species	2 1/2"	\$133.40	\$127.60		\$225.75		\$269.50	NB
		(disease resistant)								NB
162	Prunus spp. "Accolade"	Accolade Flowering Cherry	2 1/2"	\$151.80	\$154.00		\$215.75		\$214.50	NB
		(disease resistant)								NB
163	Prunus virginiana "Canada Red"	Chokeberry	2 1/2"	\$161.00	\$154.00		\$186.75		\$214.50	NB
164	Maackia amurensis	Amur maackia	2.5	\$165.60	\$158.40		\$264.75		NB	NB
165	Pyrus calleryana "Chanticleer", "Aristocrat"	Callery Pear (not Bradford)	2.5	\$140.76	\$134.64		\$208.75		\$247.50	NB
	"Capital", Whitehorse						\$220.58		NB	NB
166	Syringa reticulate	Japanese Tree Lilac	2.5	\$170.20	\$162.80		\$284.17		\$275.00	NB
167	Princeton Elm		2" cal.	\$161.00	\$154.00		\$233.75		\$275.00	NB
168	Green Pillar Oak		2- 1/2" cal	\$179.40	\$171.60		\$225.75		\$324.50	NB
169	Cher. Brave Dogwood		2" cal	\$156.40	\$149.60		\$207.81		\$214.50	NB
170	Armstrong Maple		2" cal	\$165.60	\$158.40		\$202.11		\$275.00	NB
171	Hornbeam-Franz Fonta		2" cal	\$202.40	\$193.60		\$217.75		\$324.50	NB
172	Exclamation Sycamore		2"cal	\$156.40	\$149.60		\$216.75		\$247.50	NB
173	Cleveland Select		2" cal	\$140.76	\$134.64		\$180.75		\$214.50	NB
174	Sycamore		1-1/2" cal	\$119.60	\$114.40		\$115.75		NB	NB
175	Autumn Purple Ash		1 1/2" & 2"cal	\$119.60	\$114.40		\$115.75/\$185.75		NB	NB
176	Acer griseum		Provide Qty. & Price	15gal \$184.00	\$176.00		5-6 \$145.75		NB	NB
177	Camellia japonica		Provide Qty. & Price	3 \$27.14	\$25.96		3 gal/ \$44.75		NB	NB
178	Carpinus betulus	Frans Fontaine	Provide Qty. & Price	2-2.5 \$158.24	\$151.36		2 " cal/ \$217.75		\$214.50	NB
179	Cercis Canadensis	Eastern Redbudsyringa	Provide Qty. & Price	2-2.5 \$161.00	\$154.00		15 gal/\$111.75		\$214.50	NB
180	Chionanthus retusus		Provide Qty. & Price	5-6 \$87.40	\$83.60		15 gal/ \$125.75		NB	NB
181	Cornus mas ‘Golden Glory’		Provide Qty. & Price	6-7 \$119.6	\$114.40		6'/ \$142.75		NB	NB
182	Corylopsis pauciflora		Provide Qty. & Price	NB	NB		gal/ \$28.75		NB	NB
183	Parrotia persica		Provide Qty. & Price	NB	NB		2" c al/ \$245.75		\$247.50	NB
184	Picea orientalis		Provide Qty. & Price	NB	NB		5' /\$124.75		5-6 '165	NB
185	Sciadopitys verticillata		Provide Qty. & Price	3-4 \$170.20	\$162.80		5' /\$275.75		NB	NB
186	Sorbus alnifolia		Provide Qty. & Price	NB	NB		2" c al/ \$216.75		NB	NB
187	Stewartia pseudocamellia		Provide Qty. & Price	6-7 \$179.40	\$171.60		7'/ \$249.75		NB	NB
188	Styrax japonicus	Emerald Pagoda	Provide Qty. & Price	6-8 \$ 96.60	\$92.40		2" cal/\$342.75		\$247.50	NB
189	Thujopsis dolabrata	Nana	Provide Qty. & Price	NB	NB		2gal/ \$29.75		NB	NB
190	Acer griseum		Provide Qty. & Price	15 \$184.00	\$176.00		7 ' /\$295.75		\$247.50	NB
191	Camellia japonica		Provide Qty. & Price	3 \$27.14	\$25.96		5 gal/\$69.75		NB	NB

[illegible]

TNH038-2018 Trees Flowers and Shrubs	
Valid March 20,2018-March 19,2020	
with an opotion to extend for one	
additonal year	
Winning Vendor	Items Won
The Garden Dept Corp	
3672 Route 112	
Coram, NY 11727	All Items
Phone: (631) 736-3378	
doncaroleo@gardendep.com	

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 160 - 2018

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR MOBILE VETERINARY UNITS (TNH004-2018).

WHEREAS, the Director of Purchasing (the “Director”) has solicited bids for mobile veterinary services; and

WHEREAS, bids were received as forth in Exhibit A attached hereto (the “Bids”); and

WHEREAS, following a review of the Bids, the Director has recommended an award as set forth in Exhibit B attached hereto (the “Award”); and

WHEREAS, this Board wishes to authorize the Award as recommended by the Director.

NOW, THEREFORE, BE IT

RESOLVED that the Award as recommended by the Director is hereby authorized; and be it further

RESOLVED that the Supervisor be and hereby is authorized and directed to execute, on behalf of the Town, any purchase agreements and related documents, a copy of which shall be on file in the Division of Purchasing, and to take such other related action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Comptroller be, and hereby is, authorized and directed to pay the costs of said awards upon receipt of a duly executed and certified claims therefor.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller Purchasing

<i>TNH004-2018-Veterinary Mobile Unit</i>	
<i>Valid March 31,2018 until March 30, 2021 with an option to extend</i>	
<i>for two additonal one year terms</i>	
	Helping Promote Animal Welfare, Inc. (PAW)
	6229 Jericho Tpke
	Commack, NY 11725
Tel	(888) 738-3497
E-mail	diane@helping-paw.org
Feral Cats:	
spay-neuter, vaccinate for rabbies virus, FVRCP, 30 day flea, tick, Mite, deworming	\$88.00 /each
treatment, ear tip, return to trapper	
Services also provided to owned	
dogs and for shelter animals and stray dogs as needed on a	
different fee schedule, see website	

TNH004-2018 Veterinary Mobile Unit	
Winning Vendor	Items Won
Helping Promote Animal Welfare, Inc. (PAW)	
6229 Jericho Tpke	
Commack, NY 11725	All items
(888) 738-3497	
diane@helping-paw.org	

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 161 - 2018

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR POOL VACUUMS (TNH192-2018).

WHEREAS, the Director of Purchasing (the “Director”) has solicited bids for pool vacuums; and

WHEREAS, bids were received as forth in Exhibit A attached hereto (the “Bids”); and

WHEREAS, following a review of the Bids, the Director has recommended an award as set forth in Exhibit B attached hereto (the “Award”); and

WHEREAS, this Board wishes to authorize the Award as recommended by the Director.

NOW, THEREFORE, BE IT

RESOLVED that the Award as recommended by the Director is hereby authorized; and be it further

RESOLVED that the Supervisor be and hereby is authorized and directed to execute, on behalf of the Town, any purchase agreements and related documents, a copy of which shall be on file in the Division of Purchasing, and to take such other related action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Comptroller be, and hereby is, authorized and directed to pay the costs of said awards upon receipt of a duly executed and certified claims therefor.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller Purchasing

			1
			Commercial Clearwater Company
			PO Box 909
			Plandom, NY 11030
			Paul Robert Meilink
	TNH192-2018- Pool Vacuums		516-294-7985
Items			help@911pools.com
1	Wave 150 or Equivalent		\$ 4,569.00
2	Wave 200XL or equivalent		\$ 6,500.00
3	Wave 300XL or equivalent		\$ 8,999.00
	Warranty Length		3 years
	Hourly Rate for Service on site (outside of warranty)		\$145.00 Per Hour
	Pricing for Parts and accessories (Bid Discount		cost + 33%
	Estimated time for delivery-		10 bussiness days

TNH192-2018- Pool Vacuums	
Term-March 20, 2018-March 19,2019	
With an option to extend for one additonal year	
Winning Vendor	Items Won
Commercial Clearwater Company	
PO Box 909	
Plandom, NY 11030	All items
Paul Robert Meilink	
516-294-7985	
help@911pools.com	

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 162 - 2018

A RESOLUTION AUTHORIZING THE AWARD OF A BID FOR SOUND SYSTEMS (TNH103-2018).

WHEREAS, the Director of Purchasing (the “Director”) has solicited bids for sound systems; and

WHEREAS, bids were received as forth in Exhibit A attached hereto (the “Bids”); and

WHEREAS, following a review of the Bids, the Director has recommended an award as set forth in Exhibit B attached hereto (the “Award”); and

WHEREAS, this Board wishes to authorize the Award as recommended by the Director.

NOW, THEREFORE, BE IT

RESOLVED that the Award as recommended by the Director is hereby authorized; and be it further

RESOLVED that the Supervisor be and hereby is authorized and directed to execute, on behalf of the Town, any purchase agreements and related documents, a copy of which shall be on file in the Division of Purchasing, and to take such other related action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Comptroller be, and hereby is, authorized and directed to pay the costs of said awards upon receipt of a duly executed and certified claims therefor.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller Purchasing

TNH103-2018 Sound System Services			1	2	3
			Taylor Productions	Pragmatech Sound Corp	Designatronix Ind
			182 Morris Avenue, Unit 5	4516 Byron Ave	155 Comac Street
			Holtsville, NY 11742	Bronx, NY 110466	Ronkonkoma, NY 11779
			William Taylor	Jim Salta	Chris Rocco
			1(631)569-5165	1(718) 325-8888	1(631) 580-4200
			bill@taylorproductions.co	jsalta@pragmatechsound.com	chris@designatronix.com
Items	Department	Date			
Sounds requirements and backline for fireworks show (see specifics on attachment 1)	Parks	Fireworks May 26, 2018 @ 6PM	\$ 17,950.00	\$ 7,500.00	\$ 18,950.00
Sound Requirements for event at Tully Park (see specifics on attachment 2)	Parks	Saturady in the park July 28, 2018 @ 7PM	\$ 8,200.00	\$ 6,000.00	\$ 7,950.00
Clark Gardens 4 mics, couple of speakers, amps and 1 sound engineer on site	Parks	Folk Night July 24, 2018 @ 7PM	\$ 850.00	\$ 775.00	\$ 2,200.00
Sound Engineer with base sound equipment	Parks	Summer Jam August 4th 2018	\$ 850.00	\$ 1,250.00	\$ 3,000.00
Asian American Festival Sound System with backline, 2 wireless lavilier body mics	Community Services	May 19th 2018 12 to 5PM	\$ 2,050.00	\$ 1,500.00	\$ 3,000.00
Kidstock Sound System with backline, Full drum set, 1 bass amplifier, 1 fender deluxe amplifier, 1 fender twin reverberb amp	Community Services	Sepetmber 15, 2018 12 to 5 PM	\$ 3,425.00	\$ 1,500.00	\$ 3,500.00
BeachFeast Full drum set, 1 Bass Amplifier, 1 fender twin reverberb amp, fender deluxe amp, delay speaker system to include 4 speakers on stands cable and control package	Community Services	August 18. 2018 12 to 5PM	\$ 3,825.00	\$ 1,700.00	\$ 4,150.00

TNH103-2018-Sound System Services	
Winning Vendor	Items Won
Pragmatech Sound Corp	
4516 Byron Ave	Items 1-3
Bronx, NY 110466	Items 5-7
Jim Salta	
1(718) 325-8888	
jsalta@pragmatechsound.com	
Taylor Productions	
182 Morris Avenue, Unit 5	
Holtsville, NY 11742	Items 4
William Taylor	
1(631)569-5165	
bill@taylorproductions.co	

PROPOSED RESOLUTION

******offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:**

STRIKE

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH
LEXINGTON TECHNOLOGIES INC. FOR METHANE DETECTION SYSTEM
IMPROVEMENTS AT MICHAEL J. TULLY PARK, NEW HYDE PARK.**

NO RESOLUTION

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 163 - 2018

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH
HEINRICH EQUIPMENT COMPANY INC. FOR SOFTWARE AND GAS TANK
MONITORING.**

WHEREAS, the Department of Informational Technology and Telecommunications (the “Department”) requires software services to monitor five gas tanks (the “Services”); and

WHEREAS, the Commissioner of the Department (the “Commissioner”) has recommended that the Town enter into an agreement with Henrich Equipment Co. Inc., 42 Field Street, Babylon, NY 11704 to provide the Services in consideration of the sum of One Thousand One Hundred Fifty and 00/100 Dollars (\$1,150.00) per month and a one-time fee not to exceed Three Thousand One Hundred Seventy-Five and 00/100 Dollars (\$3,175.00) for a term of one (1) year (the “Agreement”); and

WHEREAS, it has been determined that Henrich Equipment Co. Inc. has been deemed a sole source pursuant to Section 3(D)(i) of the Town’s Procurement Policy; and

WHEREAS, this Board finds it to be in the best interests of the Town to authorize the Agreement

NOW, THEREFORE, BE IT

RESOLVED that the Agreement be and is hereby authorized; and be it further

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the Agreement on behalf of the Town, which Agreement shall be on file with the Office of the Town Clerk, and to take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and oversee the execution of the Agreement, and to take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Comptroller be and hereby is authorized and directed to pay the costs of the Services upon receipt of the duly executed Agreement and certified claims therefore.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller DOITT

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 164 - 2018

**A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH EAST
END VOLLEYBALL TO CONDUCT A VOLLEYBALL LEAGUE AT NORTH
HEMPSTEAD BEACH PARK.**

WHEREAS, the Department of Parks and Recreation (the “Department”) desires to provide a beach volleyball league program at Bar Beach for the summer of 2018 (the “Services”); and

WHEREAS, the Commissioner of the Department has recommended that the Town enter into an agreement (the “Agreement”) with East End Volleyball (the “Contractor”), commencing May 29, 2018 and ending August 30, 2018 to allow the Contractor the use of Bar Beach in consideration of payment to the Town of One Hundred Seventy-Five 00/100 Dollars (\$175.00) per team; and

WHEREAS, this Board finds it to be in the best interest of the Town to authorize the Agreement.

NOW, THEREFORE, BE IT

RESOLVED that the Agreement be and is hereby authorized; and be it further

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the Agreement on behalf of the Town, which Agreement shall be on file with the Office of the Town Clerk, and to take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and oversee the execution of the Agreement, and to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller Parks & Rec.

Councilperson Russell offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 165 - 2018

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENTS WITH THE LONG ISLAND NETS REGARDING TEAM PRACTICES AND A BASKETBALL CAMP AT THE NORTH HEMPSTEAD "YES WE CAN" COMMUNITY CENTER.

WHEREAS, the Department of Parks and Recreation (the "Department") wants to operate a basketball camp at the North Hempstead "Yes We Can" Community Center (the "Services"); and

WHEREAS, the Commissioner of the Department has recommended that the Town enter into an agreement with the Long Island Nets through Brooklyn Nets, LLC, 15 MetroTech Center, 11th Floor, Brooklyn NY 11201, to provide the Services for a term beginning on April 2, 2018 and ending on April 6, 2018 and for a term beginning on April 21, 2018 and ending on April 22, 2018 (the "Camp Agreement"); and

WHEREAS, pursuant to the Camp Agreement, the Long Island Nets would retain seventy percent (70%) of camp revenue and the Town would be paid the remaining thirty percent (30%); and

WHEREAS, the Long Island Nets have also requested that the Town execute an agreement to authorize the filming of team practices at the "Yes We Can" Community Center (the "Filming Agreement"); and

WHEREAS, this Board finds it to be in the best interest of the Town to authorize the Camp Agreement and the Filming Agreement (the "Agreements").

NOW, THEREFORE, BE IT

RESOLVED that the Agreements be and are hereby authorized; and be it further

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the Agreements on behalf of the Town, which Agreement shall be on file with the Office of the Town Clerk, and to take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and oversee the execution of the Agreements, and to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller Parks

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 166 - 2018

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MAD SCIENCE OF LONG ISLAND FOR SUMMER SCIENCE PROGRAMS AT VARIOUS TOWN PARKS.

WHEREAS, the Town has previously contracted with Zoda LLC d/b/a Mad Science of Long Island, 75 Howe Street, Woodmere, New York 11598 (the “Contractor”) for summer science programs at Fuschillo Park and Clinton G. Martin Park; and

WHEREAS, the Commissioner of the Department of Parks and Recreation has recommended that the Town enter into an agreement with the Contractor to provide summer science programs at Fuschillo Park and Clinton G. Martin Park commencing on June 25, 2018 and terminating on August 31, 2018, with consideration to the Town of ten percent (10%) of the gross revenue generated by the Contractor, with a guaranteed minimum payment to the Town of Five Thousand and 00/100 Dollars (\$5,000.00) (the “Agreement”); and

WHEREAS, the Town Board deems it to be in the best interests of the residents of the Town to enter into the Agreement as described above.

NOW, THEREFORE, BE IT

RESOLVED that the Town be and hereby is authorized to enter into the Agreement upon the terms and conditions stated in this resolution; and be it further

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the Agreement on behalf of the Town, as more particularly set forth in a copy of the agreement which will be on file in the Office of the Town Clerk, and to take such other related action as may be necessary to effectuate the foregoing resolution; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and supervise the execution of the Agreement.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller Parks and Recreation

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 167 - 2018

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH AMERICAN POOL CONSULTANTS TO CONDUCT A CERTIFIED POOL OPERATOR COURSE FOR EMPLOYEES OF THE DEPARTMENT OF PARKS AND RECREATION.

WHEREAS, the Department of Parks and Recreation (the “Department”) requires a certified pool operator course for Town employees (the “Services”); and

WHEREAS, the Commissioner of the Department has recommended that the Town enter into an agreement with American Pool Consultants to provide the Services in consideration of an amount not to exceed Two Hundred Twenty-Five and 00/100 Dollars (\$225.00) per student (the “Agreement”); and

WHEREAS, this Board finds it to be in the best interests of the Town to authorize the Agreement.

NOW, THEREFORE, BE IT

RESOLVED that the Agreement be and is hereby authorized; and be it further

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the Agreement on behalf of the Town, which Agreement shall be on file with the Office of the Town Clerk, and to take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and oversee the execution of the Agreement, and to take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Comptroller be and hereby is authorized and directed to pay the costs of the Services upon receipt of the duly executed Agreement and certified claims therefore.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 168 - 2018

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH ABLE SAFETY CONSULTING FOR AN EVALUATION AND SITE INSPECTION OF THE TOWN'S CONFINED SPACES.

WHEREAS, the Town requires safety consulting services, specifically the inspection and evaluation of potential confined spaces for various departments throughout the Town (the “Services”); and

WHEREAS, following the review and analysis of proposals submitted for the Services, the Director of Purchasing (the “Director”) has recommended the retention of Able Safety Consulting, LLC, 124 Front Street, Suite 207, Massapequa Park, New York 11762 (the “Consultant”) to perform the Services (the “Agreement”) in consideration of Four Thousand Eight Hundred and 00/100 Dollars (\$4,800.00) for properties maintained by the Department of Parks and Recreation and an amount not to exceed Fifteen Thousand Hundred and 00/100 Dollars (\$15,000.00) for other Town properties, payable at a rate between \$200.00 and \$400.00 per location and \$115.00 per hour for document review and meeting attendance (the “Agreement”); and

WHEREAS, this Board wishes to authorize the execution of the Agreement.

NOW, THEREFORE, BE IT

RESOLVED that the Agreement be and hereby is authorized; and be it further

RESOLVED that the Supervisor is authorized and directed to execute the Agreement, and a copy of the Agreement shall be on file in the Office of the Town Clerk, and take such further action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and supervise the execution of the Agreement, and take such further action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Comptroller be and hereby is authorized and directed to pay the costs thereof upon receipt of duly executed Agreement and certified claims therefor.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 169 - 2018

A RESOLUTION AUTHORIZING THE EXECUTION OF AGREEMENTS WITH VARIOUS AGENCIES TO PROVIDE ACTIVITIES AND SERVICES FOR SENIOR CITIZENS WITHIN THE TOWN OF NORTH HEMPSTEAD.

WHEREAS, the Town has heretofore appropriated a sum of money for assistance to senior citizens, as provided by applicable law; and

WHEREAS, the agencies listed below have been endorsed as appropriate and deserving of municipal assistance as they provide various services to senior citizens; and

WHEREAS, these agencies will provide recreational, instructional and/or nutritional programs for senior citizen (the "Services") for the period beginning on January 1, 2018 and terminating on December 31, 2018; and

WHEREAS, it is the desire of this Board to authorize the execution of agreements for the Services with these agencies, as set forth below.

NOW, THEREFORE, BE IT

RESOLVED, that the Town enter into agreements for the Services with the agencies listed below; and be it further

RESOLVED, that the Supervisor be and hereby is authorized and directed to execute the agreements on behalf of the Town, copies of which will be on file in the office of the Town Clerk, for an amount not to exceed that set forth below:

Provider	Contract Amount
Great Neck Senior Center, Inc.	\$27,000
Herricks Community Fund, Inc.	\$3,500
Herricks Union Free School District	\$4,250
EAC, Inc. Port Washington Senior Center	\$15,000
Port Washington Senior Citizens, Inc.	\$22,500
Senior Citizens of Westbury, Inc.	\$30,000
Sid Jacobson JCC Senior Services Dept.	\$10,000

E-Joy / Community Resource Center, Inc.	\$7,500
The Carle Place Senior Citizens, Inc.	\$2,500
Great Neck Mashadi Senior Club	\$11,000
Herricks Senior Citizens Inc.	\$5,000
Herricks Indu-US Senior Recreation (Milan)	\$3,000
Herricks Leisure Club	\$6,000
Joy Fu Club	\$2,000
Leisure Club of Greater NHP, Inc.	\$5,000
The Leisure Club of Mineola, Inc.	\$5,000
Mineola AARP 4202	\$1,000
Mineola Golden Age Club, Inc.	\$5,500
New Hyde Park Senior Citizens Inc.	\$5,000
East Williston AARP 1868	\$1,500
Williston Park Senior Citizens, Inc.	\$8,500
East Hills	\$2,000
East Williston Seniors	\$2,000
SHAI Senior Center	\$2,500
TOTAL	\$187,250

and be it further

RESOLVED that the Office of the Town Attorney is hereby authorized and directed to supervise the execution of agreements with the organizations listed above; and be it further

RESOLVED that the Comptroller be, and hereby is, authorized and directed to pay the costs thereof upon receipt of a fully executed agreement and a duly certified and executed claim therefor.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller

Councilperson Seeman offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 170 - 2018

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE GREAT NECK CENTER FOR THE VISUAL AND PERFORMING ARTS D/B/A THE GOLD COAST ARTS CENTER TO SPONSOR THE 2018 GOLD COAST INTERNATIONAL FILM FESTIVAL.

WHEREAS, the Great Neck Center for the Visual and Performing Arts Inc. d/b/a the Gold Coast Arts Center, 113 Middle Neck Road, Great Neck Plaza, New York 11021 (“Gold Coast”), has requested that the Town of North Hempstead (the “Town”) co-sponsor the 2018 Annual Gold Coast International Film Festival (the “Event”), through the provision of funds in an amount not to exceed Seventy-Five Thousand and 00/100 Dollars (\$75,000.00) (the “Town Sponsorship”); and

WHEREAS, this Board wishes to authorize the Town to enter into an agreement to provide the Town Sponsorship in exchange for recognition as a co-sponsor of the Event and the right to exercise oversight over the operation of the Event in partnership with Gold Coast (the “Agreement”).

NOW, THEREFORE, BE IT

RESOLVED that the Town shall co-sponsor the Event and provide the Town Sponsorship; and be it further

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the Agreement on behalf of the Town, a copy of which will be on file in the Office of the Town Clerk; and be it further

RESOLVED that the Office of the Town Attorney be and is hereby authorized and directed to negotiate and supervise the execution of the Agreement; and be it further

RESOLVED that the Office of the Town Comptroller be and hereby is authorized to pay the costs of the Agreement upon receipt of an executed Agreement and certified claims therefor.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: Councilperson De Giorgio

cc: Town Attorney Comptroller

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 171 - 2018

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH HARBOR LINKS GOLF COURSE FOR THE TOWN'S 2018 SENIOR RECOGNITION LUNCHEON.

WHEREAS, the Town of North Hempstead's (the "Town") Department of Services for the Aging will provide its annual senior recognition lunch (the "Event") at the Harbor Links Golf Course (the "Golf Course") on May 22, 2018 and May 23, 2018; and

WHEREAS, the Town will be required to enter into an agreement (the "Agreement") with the Golf Course whereby the Golf Course will provide catering services for the event in consideration of payment of Thirty-One and 20/100 Dollars (\$31.20) per person; and

WHEREAS, this Board finds it in the best interests of the Town to enter into the Agreement.

NOW, THEREFORE, BE IT

RESOLVED that the Supervisor is hereby authorized to enter into the Agreement, in a form acceptable to the Office of the Town Attorney and filed with the Office of the Town Clerk; and be it further

RESOLVED that the Office of the Town Attorney is authorized and directed to supervise the negotiation and execution of the Agreement, and take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Comptroller be and hereby is authorized and directed to pay the costs upon receipt of a fully executed Agreement and duly executed and certified claims therefor.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller Department of Services for the Aging

Councilperson De Giorgio offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 172 - 2018

A RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE VILLAGE OF BAXTER ESTATES FOR COOPERATIVE SERVICES AND PURCHASING.

WHEREAS, pursuant to Article 8, Sections 1 and 2-a of the New York State Constitution, as effectuated by General Municipal Law Section 119-o, municipal corporations are empowered to enter into agreements for the performance among themselves or one for the other of their respective functions, powers and duties on a cooperative or contract basis; and

WHEREAS, the Town of North Hempstead (the “Town”) desires to enter into an intermunicipal agreement with the Village of Baxter Estates (the “Village”) for cooperative services and purchasing in consideration of payment to the Town (the “Agreement”); and

WHEREAS, this Board finds it in the best interests of the Town to authorize the Agreement.

NOW, THEREFORE, BE IT

RESOLVED the Agreement is hereby authorized; and be it further

RESOLVED that the Supervisor be and hereby is authorized and directed to execute the Agreement on behalf of the Town, and to take such other action as may be necessary to effectuate the foregoing, copies of which will be on file in the Office of the Town Clerk; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and supervise the execution of the Agreement and any related documents, and to take such further action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 173 - 2018

A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE COUNTY OF NASSAU AND SOLAR GLASS, INC. FOR GLASS REPAIR WORK.

WHEREAS, the Town of North Hempstead (the “Town”) requires glass repair work (the “Services”); and

WHEREAS, the County of Nassau awarded bid # BPNC14000032 entitled “Glass & Plexiglass Replacement Services” to Solar Glass Inc., 4030 Austin Boulevard, Island Park, New York 11558; and

WHEREAS, under New York General Municipal Law §103(3), the Town is authorized to contract for services through the county in which it is situated; and

WHEREAS, the Board wishes to authorize the use of the agreement between the County of Nassau and Solar Glass Inc., for the provision of the Services for the duration of the contract’s term, including any future extensions (the “Agreement”).

NOW, THEREFORE, BE IT

RESOLVED that the use of the Agreement be and is hereby authorized; and be it further

RESOLVED that the Supervisor be and hereby is authorized and directed to execute any documentation and to take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and oversee the execution of the documents, and to take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Comptroller be and hereby is authorized and directed to pay the costs of the Services upon receipt of the Agreements and certified claims therefore.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Admin Services Comptroller

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 174 - 2018

A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE COUNTY OF SUFFOLK AND EASTERN DOOR AND HARDWARE INC. FOR DOOR AND CLOSURE REPAIRS.

WHEREAS, the Town of North Hempstead (the “Town”) requires the services of a contractor for door and closure repairs (the “Services”); and

WHEREAS, the County of Suffolk awarded bid #15/0238LPWI entitled “Door & Closure Repairs” to Eastern Door & Hardware, Inc., 59 Purdy Lane, Amityville, NY 11701 (the “Agreement”); and

WHEREAS, under New York General Municipal Law §103(16), the Town is authorized to contract for services through municipal or quasi-municipal entities in the State of New York; and

WHEREAS, the Board wishes to authorize the use of the Agreement for the duration of the Agreement, inclusive of any extensions; and

NOW, THEREFORE, BE IT

RESOLVED that the use of the Agreement be and is hereby authorized; and be it further

RESOLVED that the Supervisor be and hereby is authorized and directed to execute any documentation and to take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and oversee the execution of any documentation, and to take such other action, as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Comptroller be and hereby is authorized and directed to pay the costs of the Services upon receipt of the Agreement and certified claims therefore.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Admin Services Comptroller

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 175 - 2018

A RESOLUTION AUTHORIZING THE USE OF AN AGREEMENT BETWEEN THE COUNTY OF SUFFOLK, D&D ELECTRIC MOTOR AND SMITHTOWN ARMATURE WORKS, INC. FOR MOTOR REPAIRS.

WHEREAS, the Town of North Hempstead (the “Town”) requires a contractor for electric motor repair (the “Services”); and

WHEREAS, the County of Suffolk awarded bid #16/0010LW entitled “Electric Motor Repair” to D&D Electric Motors & Compressors Inc., 127 East Hoffman Avenue, Lindenhurst, NY 11757 and to Smithtown Armature Works, Inc., 950 W. Jericho Turnpike, Smithtown, NY 11787 (the “Agreements”); and

WHEREAS, under New York General Municipal Law §103(16), the Town is authorized to contract for services through municipal or quasi-municipal entities in the State of New York; and

WHEREAS, the Board wishes to authorize the use of the Agreements for the duration of the Agreements, inclusive of any extensions (the “Agreement”); and

NOW, THEREFORE, BE IT

RESOLVED that the use of the Agreements be and is hereby authorized; and be it further

RESOLVED that the Supervisor be and hereby is authorized and directed to execute any documentation and to take such other action as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Office of the Town Attorney be and hereby is authorized and directed to negotiate and oversee the execution of any documentation, and to take such other action, as may be necessary to effectuate the foregoing; and be it further

RESOLVED that the Comptroller be and hereby is authorized and directed to pay the costs of the Services upon receipt of the Agreements and certified claims therefore.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Admin Services Comptroller

Supervisor Bosworth offered the following resolution and moved its-adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 176 - 2018

A RESOLUTION AUTHORIZING THE PURCHASE OF SOFTWARE SUPPORT AND MAINTENANCE FOR VARIOUS APPLICATIONS MANAGED BY THE DEPARTMENT OF INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS AND THE OFFICE OF THE TOWN CLERK.

WHEREAS, the Department of Information Technology and Telecommunications (the “Department”) and the Office of the Town Clerk (the “Town Clerk”) require software maintenance and technical support for the Town’s Financial Management System Logos.NET (the “Tyler Services”), for the Town’s scale software PCSCALE (the “AMCS Services”) and for the Town Clerk’s Licensing and Vital Statistics Applications (the “BAS Services”); and

WHEREAS, the Director of Purchasing has recommended that the Town purchase the Tyler Services from Tyler Technologies, Inc., P.O. Box 203556, Dallas, Texas 75320-3556 for a term commencing on December 1, 2017 and ending on November 30, 2018 in consideration of an amount not to exceed Forty-Three Thousand Eight Hundred Twenty-One and 70/100 Dollars (\$43,821.70) (the “Tyler Purchase”); and

WHEREAS, the Director of Purchasing has recommended that the Town purchase the AMCS Services from AMCS Group, Inc., 119 South 5th Street, Oxford, Pennsylvania 19363 for a term commencing on June 1, 2018 and ending on May 31, 2019 in consideration of an amount not to exceed Two Thousand Seven Hundred Thirty-Five and 00/100 Dollars (\$2,735.00) (the “AMCS Purchase”); and

WHEREAS, the Director of Purchasing has recommended that the Town purchase the BAS Services from Business Automation Services, Inc., 661 Plank Road, Clifton Park, New York 12065 for a year in consideration of an amount not to exceed Four Thousand Seventy and 00/100 Dollars (\$4,070.00) (the “BAS Purchase”); and

WHEREAS, this Board finds it to be in the best interest of the Town to authorize the Tyler Purchase, the AMCS Purchase, and the BAS Purchase (collectively the “Purchases”).

NOW, THEREFORE, BE IT

RESOLVED that the Purchase be and is hereby authorized; and be it further

RESOLVED that the Comptroller be and hereby is authorized and directed to pay the costs of the Purchase upon receipt of certified claims therefore.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 177 - 2018

A RESOLUTION AUTHORIZING PAYMENT TO STAMFORD TENT AND EVENT SERVICES FOR EMERGENCY TENT REPAIRS AT HARBOR LINKS GOLF COURSE.

WHEREAS, the Town of North Hempstead Department of Parks and Recreation (the “Department”) required emergency repairs to a tent at Harbor Links Golf Course in Port Washington, New York (the “Services”); and

WHEREAS, the Department retained Stamford Tent and Event Services, 8 Lamar Street, West Babylon, New York 11704 (the “Contractor”) to provide the Services; and

WHEREAS, it has been recommended that the Town Board ratify the Department’s actions in using the Contractor to provide the Services and to further authorize payment for the Services for an amount not to exceed Six Thousand and 00/100 Dollars (\$6,000.00) (the “Payment”); and

WHEREAS, this Board finds it to be in the best interest of the Town to ratify the actions of the Department and authorize the Payment.

NOW, THEREFORE, BE IT

RESOLVED that the actions of the Department in using the Contractor to provide the Services be and hereby are ratified; and be it further

RESOLVED that the Payment is hereby authorized; and be it further

RESOLVED that the Comptroller be and hereby is authorized and directed make the Payment upon receipt of certified claims therefore.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller Parks

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 178 - 2018

A RESOLUTION AMENDING THE TOWN OF NORTH HEMPSTEAD PARKS FEE SCHEDULE.

WHEREAS, the Town Board of the Town of North Hempstead (“Town Board”) is empowered pursuant to § 39-23 of the Town Code, upon recommendation of the Commissioner of Parks and Recreation (the “Commissioner”), to set the fees and charges for use of facilities and services in Town parks; and

WHEREAS, the Town Board adopted a schedule of fees for the use of Town facilities and services, including certain facilities at various Town parks (the “Fee Schedule”); and

WHEREAS, the Commissioner has recommended that the Town Board approve a change in the Fee Schedule to state that the daily fee for the use of Town pools charged to active members of the Armed Forces shall be the same as the daily fee charged to veterans of the Armed Forces, regardless of residency (the “Amendment”); and

WHEREAS, the Town Board wishes to approve the Amendment to the Fee Schedule as recommended by the Commissioner.

NOW, THEREFORE, BE IT

RESOLVED that the Fee Schedule shall be amended to reflect the Amendment; and be it further

RESOLVED that except as herein modified, the Fee Schedule shall remain unchanged and in full force and effect.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Parks and Recreation Comptroller

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 179 - 2018

A RESOLUTION AMENDING RESOLUTION NO. 657-2017, ADOPTED NOVEMBER 14, 2017, REGARDING MEETINGS OF THE TOWN BOARD OF THE TOWN OF NORTH HEMPSTEAD.

WHEREAS, pursuant to resolution No. 657-2017, duly adopted on November 14, 2017 (the “Resolution”), the Town Board adopted a schedule a meetings of the Town Board for Calendar Year 2018; and

WHEREAS, the Town has scheduled elevator repairs at Town Hall from May through August of 2018 (the “Repairs”); and

WHEREAS, to accommodate the Repairs the Town Board wishes to cancel the June 26, 2018 meeting; move the location of the May 8, 2018, June 5, 2018 and July 17, 2018 meetings to the Administration Building Community Room at Clinton G. Martin Park, 1601 Marcus Avenue, New Hyde Park, New York (“CGM”); and move any later meeting to CGM if the Repairs are not completed in time for the later meetings (the “Amendments”); and

WHEREAS, this Board desires to amend the Resolution to reflect the Amendments.

NOW, THEREFORE, BE IT

RESOLVED that the Resolution be and hereby is amended to reflect the Amendments; and be it further

RESOLVED that public notice of the contents of this Resolution be effectuated in accordance with the New York Public Officers Law.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 180 - 2018

A RESOLUTION AMENDING RESOLUTION NO. 720-2017, ADOPTED DECEMBER 19, 2017, REGARDING THE AWARD OF A BID FOR ELECTRIC GOLF CARTS FOR HARBOR LINKS GOLF COURSE (TNH185-2017).

WHEREAS, pursuant to resolution No. 720-2017, duly adopted on December 19, 2017 (the “Resolution”), the Town Board authorized the award of a bid for the lease of electric golf carts for Harbor Links Golf Course, Bid No. TNH185-2017; and

WHEREAS, the Director of Purchasing (the “Department”) has requested that the Resolution be amended to increase the amount to be paid to Fairway Golf Car Corp., or their financing agent, DLL Finance LLC, over the term of the lease by Ten Thousand Eight Hundred Sixty-Four and 74/100 Dollars (\$10,864.74) to account for an increase in the financing rate applied to the lease resulting from a change in lease terms (the “Amendment”); and

WHEREAS, this Board finds it to be in the best interest of the Town to authorize the Amendment.

NOW, THEREFORE, BE IT

RESOLVED that the Resolution be and hereby is amended to reflect the Amendment.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney

Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 181 - 2018

A RESOLUTION IDENTIFYING TITLES OF EMPLOYEES OF THE TOWN OF NORTH HEMPSTEAD WHO ARE REQUIRED TO FILE AN ANNUAL STATEMENT OF FINANCIAL DISCLOSURE PURSUANT TO CHAPTER 16A OF THE TOWN CODE OF THE TOWN OF NORTH HEMPSTEAD.

WHEREAS, the Town Code of Ethics lists officers, employees and board members who must file Annual Statements of Financial Disclosure (“Disclosure Statements”) with the Town of North Hempstead Board of Ethics (“Board of Ethics”) and Town Code § 16A-7(A) authorizes the Town Board to determine those additional officers, employees and board members who hold policy-making positions for purposes of requiring the filing of Disclosure Statements; and

WHEREAS, the Board of Ethics has reviewed the additional titles that it believes should be required to file Disclosure Statements and those titles are listed below.

NOW, THEREFORE BE IT

RESOLVED that the Town Board has determined that, in addition to those titles set forth in the Town Code, employees in the following titles hold policy-making positions for purposes of requiring the filing of Disclosure Statements:

Building Department

Architect
Attendant P/T
Administrative Assistant
Clerk Laborer
Building Inspector 1 Part Time
Building Inspector I
Building Inspector II
Building Plans Examiner I
Clerk I
Clerk I P/T
Clerk Laborer
Commissioner of Building Safety Inspection, and Enforcement
Deputy Commissioner of Building Safety Inspection, and Enforcement
Electrical Board Member
Multiple Residence Inspector I

Enforcement

Plumbing Inspector I
Plumbing Inspector II
Plumbing Board Member
Research Assistant to the Town Board
Secretary to the Commissioner of Building Safety Inspection, and

Secretary to the Commissioner
Secretary to the Deputy Supervisor
Architect Drafter I
Public Safety Officer I P/T

Community Services

Legal Typist I

Department of Services for the Aging

Accountant I, P/D
Director of Senior Citizen Affairs
Director of Community Relations
Senior Citizen Program Development Specialist

Comptroller

Director of Governmental Research
Grants Technician
Assistant Payroll Supervisor
Payroll Supervisor
Secretary to the Comptroller
Assistant Town Attorney
Cashier I P/T
Accountant I

Department of Highways

Auto Parts Storekeeper
Highway Maintenance Supervisor I
Highway Maintenance Supervisor II
Administrative Assistant to Supervisor

Human Resources

Administrative Officer
Safety Coordinator
Clerk Typist I

Administrative Services

Labor Supervisor II

Parks and Recreation

Recreation Aide
Recreation Supervisor II
Assistant to the Commissioner of Parks and Recreation for Administration

Planning

Architect
Environmental Control Specialist
Planner II
Planner II P/T
Planner III
Secretary to the Commissioner of Planning and Development

Secretary to Board of Zoning Appeals

Department of Public Works

Architect

Assistant to the Commissioner of Public Works

Civil Engineer I

Civil Engineer III

Clerk-Typist I

Secretary to the Commissioner of Public Works

Receiver of Taxes

Accountant II

Research Assistant to Town Board

Secretary to Receiver of Taxes

Supervisor

Administrative Assistant to Town Board

Buyer Trainee

Buyer I

Chief of Staff

Director of Communications

Director of Constituent Affairs

Director of Finance

Director of Intergovernmental Coordination

Director of Purchasing

Procurement Coordinator

Secretary to Supervisor

Secretary to Commissioner of Finance

Secretary to Town Board

Town Attorney

Secretary to Town Attorney

Town Board

Administrative Assistant to Town Board

Executive Assistant to Town Board

Town Clerk

Clerk/ Laborer

Public Safety Officer I P/T

Research Assistant to Supervisor

Secretary to Councilman

Secretary to Town Clerk

Public Safety

Director of Animal Shelter

Zoning Inspector I

Code Enforcement Inspector

Public Safety Officer I

Public Safety Officer I P/T

Public Safety Officer II

Public Safety Officer II P/T

Public Safety Officer IV

Bay Constable I

Bay Constable I P/T

Bay Constable II

Information Technology and Telecommunications

Commissioner Information Technology

Deputy Commissioner Information Technology
Info Tech Specialist III
Secretary to the Commissioner of IT
Secretary to Councilman
Attendant

;and be it further

RESOLVED, that the Board of Ethics is hereby authorized to exempt those holding any of the above titles from the annual statement of financial disclosure filing requirement in the event the individual is otherwise not subject to Section 16A-7(C) of the Town Code ; and be it further

RESOLVED, that the individuals holding the titles identified herein shall have until May 15, 2018 to file their financial disclosure forms.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney

Supervisor Bosworth offered the following resolution and moved its-adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 182 - 2018

A RESOLUTION AUTHORIZING THE EMPLOYMENT, APPOINTMENT, TRANSFER, ADJUSTMENT, CORRECTION, CHANGE IN GRADE OR SALARY AND/OR TERMINATION OF EMPLOYEES AND/OR OFFICIALS IN VARIOUS DEPARTMENTS OF THE TOWN.

WHEREAS, the approval of this Board has been requested for the employment, appointment, transfer, adjustment, correction, change in grade or salary and/or termination of certain individuals, employees and/or officials in various departments of the Town of North Hempstead (the "Town") as more particularly set forth in a memorandum on file in the Office of the Commissioner of Human Resources; and

WHEREAS, the Board believes it is in the best interests of the Town to approve the request.

NOW, THEREFORE, BE IT

RESOLVED that the following employments, appointments, transfers, adjustments, corrections, changes in grade or salary, and/or terminations are hereby adopted and approved:

ALL APPOINTMENTS PENDING COMPLETION OF PAPERWORK AND CIVIL SERVICE APPROVAL

SEE EXHIBIT A ATTACHED

;and be it further

RESOLVED that the above listed employments, appointments, transfers, adjustments, corrections, and/or changes in grade or salary are hereby appointed to the respective positions at a rate of compensation shown next to their names; and be it further

RESOLVED that the appointments and employments are subject to the satisfactory completion of a physical examination by a physician; and be it further

RESOLVED that the term of appointment and employment of any person to an exempt position shall be at the pleasure of the Town Board; and be it further

RESOLVED that the effective date of the foregoing employments, appointments, transfers, adjustments, corrections, and/or changes in grade or salary of said individuals, employees and/or officials in the various departments of the Town shall be that date certified by the Commissioner of Finance; and be it further

RESOLVED that the foregoing appointments, employments and terminations are subject to the rules and regulations of the Nassau County Civil Service Commission and New York State Civil Service Law.

Dated: Manhasset, New York

March 20, 2018

The vote of the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None



HUMAN RESOURCES DEPARTMENT

3/20/2018 4:43 PM

Please prepare a resolution effectuating the following appointments and/or changes for the 03/20/2018 Town Board Meeting

From: Bob Weitzner-Commissioner of Human Resources

To: Supervisor Judi Bosworth

ALL APPOINTMENTS PENDING COMPLETION OF PAPERWORK & CIVIL SERVICE APPROVAL. ALL CHANGES WILL TAKE PLACE NO EARLIER THAN THE PAY PERIOD BEGINNING 03/24/2018.

UNLESS OTHERWISE NOTED. **ALL SEASONAL EMPLOYMENT COMMENCES 05/01/2018 AND ENDS 09/30/2018.**

*****An X in the Relationship Disclosure Form ("RDF") column signifies that the prospective hire has completed and filed the RDF with the HR department.**

Type	RDF SIGNED	Fr/To	Department #	Department Name	Budget Code	Employee Name	FT / PT / Seasonal	Employee Title	Employee Rate	Grade/Step	Effective Date
Title, grade and salary change		From	300018	Highway	D.07.5222.1000	DaSilva, Victor	FT	Laborer 2	\$49,642 ann./ \$23.86/hr	Gr 11/ St 3.5	
		To						Sign Painter	\$52,928 ann./ \$25.44/ hr	Gr 15/ St 1.0	3/24/2018
Title, grade and salary change		From	311000	Highway	DA.07.5117.1000	Casey, Kevin	FT	Laborer 1	\$47,507 ann./ \$22.83/hr	Gr 9/ St 4.0	
		To						Equipment Operator Trainee	\$47,733 ann./ \$22.94/hr	Gr 11/ St 1.5	3/24/2018
Title, grade and salary change		From	311000	Highway	DA.07.5117.1000	Collura, Christopher	FT	Laborer 1	\$47,507 ann./ \$22.83/hr	Gr 9/ St 4.0	
		To						Equipment Operator Trainee	\$47,733 ann./ \$22.94/hr	Gr 11/ St 1.5	3/24/2018
Salary Change		From	903100	311 Call Center	A.30.1480.1200	Bradshaw, Tonya	PT	Attendent/311 Call Rep	\$15.00/hr	N/A	3/24/2018
		To							\$16.00/hr		
Salary Change		From	903100	311 Call Center	A.30.1480.1200	Crino, Georgina	PT	Attendent/311 Call Rep	\$15.00/hr	N/A	3/24/2018
		To							\$16.00/hr		
Salary Change		From	903100	311 Call Center	A.30.1480.1200	Werner, Joel	PT	Attendent/311 Call Rep	\$15.00/hr	N/A	3/24/2018
		To							\$16.00/hr		
New Hire		From	933300	Parks & Rec/YWCCC	A.05.7141.1200	Heron, Jamaul	PT	Laborer 1	\$11.00/hr		
		To									
New Hire		From	929000	Parks & Rec/CLARK	A.05.7110.1200	Kumar, Avril	PT	Laborer 1	\$12.00/hr		
		To									
New Hire		From									
	x	To	903100	311 Call Center	A.30.1480.1200	Gable, Jordan	PT	Attendent/311 Call Rep	\$15.00/hour	N/A	3/20/2018
New Hire		From									
	x	To	903100	311 Call Center	A.30.1480.1200	Newton, Joanne	PT	Attendent/311 Call Rep	\$15.00/hour	N/A	3/20/2018
Salary Change	x	From	903100	311 Call Center	A.30.1480.1200	Loewenstein, Michael	PT	Attendent/311 Call Rep	\$15.00/hr	N/A	3/24/2018
		To							\$16.00/hr		
New Hire		From									
	x	To	903100	311 Call Center	A.30.1480.1200	Hakimi-Aziz, Pooneh	PT	Attendent/311 Call Rep	\$15.00/hour	N/A	3/20/2018
Salary Change		From	211700	Public Safety	B.06.3120.1000	Marciano, Silmara	FT	Public Safety Officer 1	\$51,522 ann/\$24.77 hrly	Gr 10/St 7.0	
		To							\$52,902 ann/\$25.43 hrly	Gr 10/St 8.5	
Salary Change		From							\$45,988 ann/\$1,768.77 bi/wk		
		To	210700	Building	B.33.3620.1000	Argila, Donna	FT	Sec. to Comm. of Building	\$50,000 ann/\$1,923.08 bi/wk		3/24/2018



HUMAN RESOURCES DEPARTMENT

3/20/2018 4:43 PM

Type	RDF SIGNED	Fr/To	Department #	Department Name	Budget Code	Employee Name	FT / PT / Seasonal	Employee Title	Employee Rate	Grade/Step	Effective Date
Resignation		From	311000	Highway	DA.07.5117.1000	Ebron, Christopher	FT	Laborer 1	\$45,731 ann/\$21.99 bi/wk	Gr 9/St 2.0	3/14/2018
		To									
Resignation		From	124200	Public Safety	A.06.3989.1000	Bernat, Andrew	FT	Laborer 1	\$45,731 ann/\$21.99 bi/wk	Gr 9/St 2.0	3/16/2018
		To									
Termination		From	933300	Parks & Rec/YWCCC	A.05.7141.1200	Jackson, Keith	PT	Laborer 1	\$11.00/hr		3/10/2018
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Supervisor Bosworth offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 183 - 2018

A RESOLUTION AUTHORIZING THE PAYMENT OF A CLAIM AGAINST THE TOWN OF NORTH HEMPSTEAD AND AUTHORIZING AND DIRECTING THE COMPTROLLER OR DEPUTY COMPTROLLER TO PAY THE COSTS THEREOF.

WHEREAS, the Town Attorney has requested the approval of the Town Board for the settlement and payment of a claim as more particularly described herein below, for the reasons set forth in a memoranda to the Board on file in the Office of the Town Attorney; and

WHEREAS, the Board deems it to be in the best interests of the Town to approve the request of the Town Attorney.

NOW, THEREFORE, BE IT

RESOLVED that the settlement and payment of the following claim, in the amount set forth herein, be and the same is approved by this Board in all respects:

<u>Claimant</u>	<u>File No.</u>	<u>Amount</u>
Thomas Hyland	TD-17-0113	\$401.92

; and be it further

RESOLVED that the Office of the Comptroller be and hereby is authorized and directed to pay the amounts set forth above upon receipt of properly executed and certified claims therefor.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller

Councilperson Seeman offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 184 - 2018

A RESOLUTION AUTHORIZING THE APPROVAL OF POINTS FOR THE LENGTH OF SERVICE AWARD PROGRAM FOR THE FLORAL PARK CENTER FIRE COMPANY, INC.

WHEREAS, the Town of North Hempstead (the “Town”) is the sole sponsor of the Floral Park Centre Fire Company Inc. (the “Floral Park Centre Fire Company”) Length of Service Award Program established pursuant to Article 11-A of the General Municipal Law (the “Floral Park Centre LOSAP”); and

WHEREAS, Floral Park Centre Fire Company has submitted to the Comptroller a certified list of the service points earned by its members for the Floral Park Centre LOSAP during the 2017 calendar year (the “Service Points”); and

WHEREAS, as the sponsor of the Floral Park Centre LOSAP, the Town is required to approve the Service Points prior to the members receiving benefits under the plan; and

WHEREAS, the Comptroller has recommended the approval of the Service Points as submitted; and

WHEREAS, the Town Board wishes to authorize and approve the Service Points as recommended by the Comptroller.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby authorizes and approves the Service Points and directs the Supervisor and the Comptroller to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller

Councilperson Zuckerman offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 185 - 2018

A RESOLUTION AUTHORIZING THE APPROVAL OF POINTS FOR THE LENGTH OF SERVICE AWARD PROGRAM FOR THE ALBERTSON HOOK & LADDER, ENGINE & HOSE COMPANY NO. 1.

WHEREAS, the Town of North Hempstead (the “Town”) is the sole sponsor of the Albertson Hook & Ladder, Engine & Hose Company No. 1 (the “Albertson Fire Company”) Length of Service Award Program established pursuant to Article 11-A of the General Municipal Law (the “Albertson LOSAP”); and

WHEREAS, Albertson Fire Company has submitted to the Comptroller a certified list of the service points earned by its members for the Albertson LOSAP during the 2017 calendar year (the “Service Points”); and

WHEREAS, as the sponsor of the Albertson LOSAP, the Town is required to approve the Service Points prior to the members receiving benefits under the plan; and

WHEREAS, the Comptroller has recommended the approval of the Service Points as submitted; and

WHEREAS, the Town Board wishes to authorize and approve the Service Points as recommended by the Comptroller.

NOW, THEREFORE, BE IT

RESOLVED that the Town Board hereby authorizes and approves the Service Points and directs the Supervisor and the Comptroller to take such other action as may be necessary to effectuate the foregoing.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney Comptroller

Councilperson Seeman offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 186 - 2018

A RESOLUTION APPROVING THE ACTION OF THE VIGILANT ENGINE & HOOK & LADDER CO., INC., GREAT NECK, NEW YORK IN ELECTING TO MEMBERSHIP ZUES GONZALEZ AND REBECCA YAMINIAN AND REMOVING LEVI MONAHEMI.

WHEREAS, the Vigilant Engine & Hook & Ladder Co., Inc., 83 Cutter Mill Road, Great Neck, New York, 11021 has advised of electing Zues Gonzalez and Rebecca Yaminian to membership and removing Levi Monahemi.

NOW, THEREFORE, BE IT

RESOLVED that the action of the Vigilant Engine & Hook & Ladder Co., Inc., 83 Cutter Mill Road, Great Neck, New York, 11021 in electing, to membership Zues Gonzalez, 67-53 223rd Place, Oakland Garden, NY 11364 and Rebecca Yaminian, 29 Lighthouse Road, Great Neck, NY 11024 and removing Levi Monahemi be and the same hereby is approved and the Town Clerk directed to record his name in the Minutes of the Town Board.

Dated: Manhasset, New York
 March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Vigilant Engine & Hook & Ladder Co., Inc. Town Attorney Comptroller

Councilperson De Giorgio offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 187 - 2018

A RESOLUTION APPROVING THE ACTION OF THE FLOWER HILL HOSE COMPANY, NO. 1, PORT WASHINGTON, NEW YORK, IN CHANGING LAWRENCE HATTON FROM ACTIVE TO EXEMPT STATUS.

WHEREAS, the Flower Hill Hose Company, No. 1, Port Washington, New York, has advised of changing Lawrence Hatton from active to exempt status.

NOW, THEREFORE, BE IT

RESOLVED that the action of the Flower Hill Hose Company, No. 1, 12 Haven Avenue, Port Washington, New York, 11050 in changing Lawrence Hatton from active to exempt status, be and the same hereby is approved and the Town Clerk directed to record the names in the Minutes of the Town Board.

Dated: Manhasset, New York
March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Flower Hill Hose Co., No. 1 Town Attorney Comptroller

Councilperson Zuckerman offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 188 - 2018

A RESOLUTION APPROVING THE ACTION OF THE ALBERTSON HOOK & LADDER, ENGINE & HOSE CO., NO. 1., INC., ALBERTSON, NEW YORK, IN ADDING TO MEMBERSHIP BRUCE KARDACH, MATTHEW KOSANSKI, DEAN LAMBROPOULOS AND REMOVING DAVINDER SINGH.

WHEREAS, the Albertson Hook & Ladder, Engine & Hose Co., No. 1, Inc., Albertson, New York, has advised of adding to membership Bruce Kardach, Matthew Kosanski and Dean Lambropoulos and removing Davinder Singh

NOW, THEREFORE, BE IT

RESOLVED that the action of Albertson Hook & Ladder, Engine & Hose Co., No. 1, Inc., 100 I.U. Willets Road, Albertson, NY 11507 in adding to membership Bruce Kardach, 5 Pasture Lane, Roslyn Heights, NY, 11577, Matthew Kosanski, 2 Oak Ridge Lane, Albertson, NY 11507, Dean Lambropoulos, 23 Park Place, Roslyn Heights, NY 11577 and removing Davinder Singh be and the same hereby is approved and the Town Clerk directed to record their names in the Minutes of the Town Board.

Dated: Manhasset, New York
March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Albertson Hook & Ladder, Engine & Hose Co., No. 1, Inc.
Comptroller

Town Attorney

Councilperson De Giorgio offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 189 - 2018

A RESOLUTION APPROVING THE ACTION OF THE FIRE-MEDIC CO., NO. 1, PORT WASHINGTON, NEW YORK, IN REMOVING FROM MEMBERSHIP ALYSSA PENROSE.

WHEREAS, the Fire-Medic Co. No. 1, Port Washington, New York, has advised of removing Alyssa Penrose;

NOW, THEREFORE, BE IT

RESOLVED that the action of the Fire-Medic Co. No. 1, 65 Harbor Rd, Port Washington, NY 11050 in removing from membership Alyssa Penrose, be, and the same hereby is approved and the Town Clerk directed to record their names in the Minutes of the Town Board.

Dated: Manhasset, New York
March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Fire-Medic Co. No. 1 Town Attorney Comptroller

Councilperson Russell offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 141 - 2018

A RESOLUTION APPOINTING ITALO J. VACCHIO TO THE BOARD OF COMMISSIONERS OF THE CARLE PLACE WATER DISTRICT.

WHEREAS, a vacancy exists on the Carle Place Water District (the “District”) Board of Commissioners due to the passing of Peter Meade; and

WHEREAS, this Board is empowered, pursuant to Town Law § 215(21), to appoint a qualified person to fill a vacancy on the Board of Commissioners until a successor is elected at the District’s next annual election following the vacancy; and

WHEREAS, Italo J. Vacchio, residing at 190 Lexington Street, Westbury, New York is a District resident well-qualified to serve as Commissioner of the District Board; and

WHEREAS, this Board finds it in the best interest of the District and Town to appoint Italo J. Vacchio to the District Board as a Commissioner.

NOW, THEREFORE, BE IT

RESOLVED that Italo J. Vacchio, residing at 190 Lexington Street, Westbury, New York, be and hereby is appointed to the District Board as a Commissioner for a term beginning immediately and expiring on December 31, 2018.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney

Councilperson Russell offered the following resolution and moved its adoption, which resolution was declared adopted after a poll of the members of this Board:

RESOLUTION NO. 142 - 2018

A RESOLUTION APPOINTING BARRY V. GREEN TO THE BOARD OF COMMISSIONERS OF THE WESTBURY WATER AND FIRE DISTRICT.

WHEREAS, a vacancy exists on the Westbury Water District (the “District”) Board of Commissioners due to the retirement of Kenneth O. Jones; and

WHEREAS, this Board is empowered, pursuant to Town Law § 215(21), to appoint a qualified person to fill a vacancy on the Board of Commissioners until a successor is elected at the District’s next annual election following the vacancy; and

WHEREAS, by virtue of being appointed to the District Board, the individual so appointed will also serve as a Commissioner of the Westbury Fire District; and

WHEREAS, Barry V. Green, residing at 28 Frances Drive, Westbury, New York is a District resident well-qualified to serve as Commissioner of the District Board; and

WHEREAS, this Board finds it in the best interest of the District and Town to appoint Barry V. Green to the District Board as a Commissioner.

NOW, THEREFORE, BE IT

RESOLVED that Barry V. Green, residing at 28 Frances Drive, Westbury, New York, be and hereby is appointed to the District Board as a Commissioner for a term beginning immediately and expiring on December 31, 2018; and be it further

RESOLVED that Mr. Green also serve as a Commissioner of the Westbury Fire District for a term beginning immediately and expiring on December 31, 2018.

Dated: Manhasset, New York

March 20, 2018

The vote on the foregoing resolution was recorded as follows:

Ayes: Councilperson De Giorgio, Councilperson Ferrara, Councilperson Kaplan, Councilperson Russell, Councilperson Seeman, Councilperson Zuckerman, Supervisor Bosworth

Nays: None

cc: Town Attorney